

TONGASS NATIONAL FOREST PLAN AMENDMENT  
OBJECTION RESOLUTION MEETING

VOLUME V

KTOO Television Station

Media Room

Juneau, Alaska

October 18, 2016

BEFORE:

REVIEWING OFFICER BETH PENDLETON;

REGIONAL FORESTER ALASKA

EARL STEWART, TONGASS FOREST SUPERVISOR

FACILITATOR: JAN CAULFIELD

<p style="text-align: right;">Page 522</p> <p>1 PROCEEDINGS 2 (Juneau, Alaska - 10/18/2016) 3 (On record) 4 MS. CAULFIELD: Good morning, everyone. 5 It's 9:00 and we are here gathering together again to 6 talk about the Tongass National Forest Plan Amendment 7 Objections Resolution process. This is Tuesday, October 8 18th. 9 My name is Jan Caulfield and I'm the 10 meeting facilitator for the meeting. We are all day 11 looking at the issue of wildlife habitat and the 12 Conservation Strategy, specifically discussing harvest 13 and components of the wildlife conversation strategy 14 and other areas within the Forest. 15 We do have a full day for that topic 16 today. We'll start the same way we have been starting 17 with initial comments by each of the objectors and 18 interested persons who would like to offer that and 19 then Beth has a series of questions. We don't know if 20 it's going to take a full day to discuss this issue. 21 It may not. We'll see how it goes. We wanted to make 22 sure there was ample time for everyone. 23 We have some new people, so why don't 24 we go ahead and start with you and we will introduce 25 here in the room and then I'll check to see which</p>	<p style="text-align: right;">Page 524</p> <p>1 Interdisciplinary Team Leader for the Plan Amendment 2 and project manager located in Ketchikan. 3 MS. DALE: Good morning. I'm Robin 4 Dale. I'm a group leader for Administrative Reviews, 5 Litigation and FOIA for the Regional Office here in 6 Juneau and I'm the Review Coordinator for these 7 objections. 8 MS. LISOWSKI: Good morning again. I'm 9 Maria Lisowski. I'm a Director of Ecosystem Planning 10 and Budget for the Alaska Region out of Juneau. 11 MS. FENSTER: Good morning. I'm Dru 12 Fenster. I'm a Public Affairs Specialist out of the 13 Regional Office here in Juneau. I'll be the timekeeper 14 today. 15 MS. CAULFIELD: Thanks. Ryan, why 16 don't we just go ahead around the room. If you 17 wouldn't mind, you can practice using the microphone. 18 MR. SCOTT: Good morning, everyone. My 19 name is Ryan Scott. I'm the Regional Supervisor for 20 the Division of Wildlife Conservation, the Department 21 of Fish and Game here in Southeast Alaska. 22 MR. MAISCH: Good morning. Chris 23 Maisch, Division Director and State Forester with the 24 State of Alaska, Division of Forestry. 25 MR. GRAHAM: Owen Graham, Executive</p>
<p style="text-align: right;">Page 523</p> <p>1 objectors and interested persons we have on the phone. 2 Thanks. 3 MS. PENDLETON: Good morning. I'm Beth 4 Pendleton. I'm the Regional Forester and for the 5 Objection Resolution Process serving as the Reviewing 6 Officer. 7 MR. STEWART: Good morning. My name is 8 Earl Stewart. I'm the Forest Supervisor on the Tongass 9 National Forest working out of Ketchikan. I've been in 10 that job about two years. In this case, I'm working as 11 the Responsible Official for the Forest Plan Amendment 12 Process. Thank you. 13 MS. CAULFIELD: Thanks. Why don't we 14 go ahead with the Forest Service staff. 15 MR. FRENCH: Good morning. My name is 16 Chris French. I'm the director of Ecosystem Management 17 Coordination in the Washington Office of the Forest 18 Service. 19 MR. HAYWARD: Good morning. I'm Greg 20 Hayward, the Regional Wildlife Ecologist. 21 MS. TYE: Cathy Tye, the Inventory and 22 Monitoring Program Coordinator for the Tongass as well 23 as wildlife biologist on the Forest Plan Amendment 24 Team. 25 MS. HOWLE: Susan Howle,</p>	<p style="text-align: right;">Page 525</p> <p>1 Director of the Alaska Forest Association. 2 MR. CLARK: Jim Clark. Old, retired 3 guy. 4 MS. HARRIS: Good morning, everybody. 5 Holly Harris with Earthjustice on behalf of the 6 Earthjustice, et al objectors. 7 MS. CULLINEY: Susan Culliney with 8 Audubon Alaska. 9 MR. WILLIAMS: Austin Williams with 10 Trout Unlimited. 11 MR. EDWARDS: Larry Edwards, Greenpeace 12 staff in Sitka representing the GSACC, et al objectors. 13 MS. CAULFIELD: Okay, thanks to all of 14 you in the room here. Now I'm going to just go down 15 the list of other objectors and interested persons that 16 are eligible to talk about the Wildlife Conservation 17 Strategy topic and we'll see who's on the phone. 18 Alaska Miners Association. 19 (No response) 20 MS. CAULFIELD: Alaska Power and 21 Telephone. 22 (No response) 23 MS. CAULFIELD: Alaska Wilderness 24 League? 25 MR. KIRKMAN: This is Dan Kirkman.</p>

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<p>1 MS. CAULFIELD: Good morning, Dan.  2 Thanks. Cascadia Wildlands.  3 (No response)  4 MS. CAULFIELD: Center for Biological  5 Diversity.  6 (No response)  7 MS. CAULFIELD: City of Wrangell.  8 MS. RUSHMORE: This is Carol Rushmore.  9 MS. CAULFIELD: Good morning, Carol.  10 Pat Lavin, Defenders of Wildlife.  11 MR. LAVIN: I'm here, Jan.  12 MS. CAULFIELD: Good morning, Pat.  13 First Things First Alaska, that's also Frank. I don't  14 believe he's here with us yet today. GEOS Institute.  15 (No response)  16 MS. CAULFIELD: Hyak Mining.  17 (No response)  18 MS. CAULFIELD: Eric Lee.  19 (No response)  20 MS. CAULFIELD: Ketchikan Chamber of  21 Commerce.  22 (No response)  23 MS. CAULFIELD: Ketchikan Gateway  24 Borough.  25 (No response)</p>	<p>1 MS. CAULFIELD: And Ara Marderosian.  2 (No response)  3 MS. CAULFIELD: Thanks for that. It  4 helps for the record knowing who is here and also just  5 starting off our day. With that, Beth, I think we're  6 going to turn to you for an opening on this topic.  7 MS. PENDLETON: Good morning again. So  8 the focus of my introduction is around the harvest  9 components of the Wildlife Conservation Strategy and  10 other areas. The Tongass Forest Plan Conservation  11 Strategy consists of a system of old-growth reserves,  12 also OGRs we frequently refer to them as, and  13 management restrictions on so-called matrix lands and  14 the matrix lands are the non-reserve lands.  15 Riparian, beach and estuary habitats  16 are considered contributing elements to the old-growth  17 reserve component of the strategy and they were  18 designed to maintain landscape connectivity among large  19 and median old-growth reserves and non-development LUD  20 designations.  21 The Conservation Strategy provides for  22 an ecological approach to conservation of old-growth  23 forests and associated species. It is based on an  24 intensive scientific evaluation and species-specific  25 viability assessments that were undertaken as part of</p>
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<p>1 MS. CAULFIELD: Natural Resources  2 Defense Council.  3 (No response)  4 MS. CAULFIELD: Resource Development  5 Council.  6 (No response)  7 MS. CAULFIELD: Southeast Alaska  8 Conservation Council.  9 (No response)  10 MS. CAULFIELD: Sealaska Corporation.  11 (No response)  12 MS. CAULFIELD: Sierra Club.  13 (No response)  14 MS. CAULFIELD: The Sitka Conservation  15 Society.  16 (No response)  17 MS. CAULFIELD: The Boat Company.  18 (No response)  19 MS. CAULFIELD: And then four  20 interested persons. Denise Boggs.  21 (No response)  22 MS. CAULFIELD: Jason Custer.  23 (No response)  24 MS. CAULFIELD: Tony Gallegos.  25 (No response)</p>	<p>1 the 1997 Tongass Forest Plan planning effort.  2 This Plan Amendment was designed to  3 transition from timber harvest dominated by old growth  4 to young growth over the next 10 to 15 years. To  5 facilitate this transition, the selected alternative  6 would allow young growth management in old growth  7 reserves, riparian management areas and the beach and  8 estuary fringe, but only for the first 15 years of the  9 transition.  10 Young growth management in these areas  11 during this 15-year period would be limited to  12 commercial harvest with a maximum removal of 33 percent  13 of the basal area or to created openings of up to 10  14 acres with a maximum removal of 35 percent of the  15 original stand.  16 In beach and estuary fringe, harvest  17 would not be allowed within the 200-foot buffer zone  18 adjacent to the shoreline. The Tongass Timber Reform  19 Act, stream buffers and a 100-foot no-cut buffer around  20 all Class I and Class II lakes would apply.  21 This is a change from the current  22 Forest Plan direction which considers these areas not  23 suitable for timber production. Old-growth harvest is  24 excluded from all so-called Tongass 77 watersheds and  25 The Nature Conservancy/Audubon Conservation Priority</p>

<p style="text-align: right;">Page 530</p> <p>1 Areas in the selected alternative.</p> <p>2 The objections indicate concerns on</p> <p>3 both sides of this issue. Some objectors contend</p> <p>4 adverse effects to wildlife and riparian habitats will</p> <p>5 occur by allowing timber harvest and important</p> <p>6 components of the Conservation Strategy, including</p> <p>7 beach and estuary fringe, riparian management areas and</p> <p>8 old-growth reserves as well as in other areas that some</p> <p>9 objectors believe should be protected such as the</p> <p>10 Tongass 77 watersheds and Audubon/Nature Conservancy</p> <p>11 Conservation Priority Areas.</p> <p>12 These objectors contend that</p> <p>13 designating these areas as suitable for young-growth</p> <p>14 harvest is inconsistent with the intent of the</p> <p>15 Conservation Strategy and the protection of the</p> <p>16 resource values of the Tongass 77 watersheds and</p> <p>17 Audubon/Nature Conservancy Conservation Priority Areas.</p> <p>18 Other objectors contend the old-growth</p> <p>19 harvest restrictions in the Tongass 77 watersheds and</p> <p>20 Audubon/Nature Conservancy Conservation Priority Areas</p> <p>21 will have a negative impact on the available timber</p> <p>22 base and harvest feasibility.</p> <p>23 So that is my statement. As noted in</p> <p>24 the agenda, my hope is that as each of you share your</p> <p>25 remarks this morning that you'll focus on the fact that</p>	<p style="text-align: right;">Page 532</p> <p>1 you're on the phone. Owen, it's my understanding just</p> <p>2 for the record that you're speaking for the Alaska</p> <p>3 Forest Association, Alaska Miners Association, Alaska</p> <p>4 Power and Telephone for Jim Clark, First Things First</p> <p>5 Alaska Foundation, Hyak Mining, Ketchikan Chamber of</p> <p>6 Commerce, Ketchikan Gateway Borough, Governor Frank</p> <p>7 Murkowski and the Resource Development Council.</p> <p>8 With that, we'll turn it over to you,</p> <p>9 so thank you very much.</p> <p>10 MR. GRAHAM: Thank you. My comments</p> <p>11 are going to be slightly broader than what Beth spoke</p> <p>12 about. I'm concerned about more than just whether or</p> <p>13 not somebody cuts a few young-growth trees in the</p> <p>14 Conservation Areas. Actually I'd rather they let the</p> <p>15 young-growth trees just grow until they were mature.</p> <p>16 Right now it looks like there's no real</p> <p>17 balance, no multiple use balance between the uses of</p> <p>18 the Forest. There's been an extreme elevation of</p> <p>19 wildlife issues to the detriment of all the other users</p> <p>20 of the Forest.</p> <p>21 The Forest Service didn't disagree with</p> <p>22 that in 2008 when they studied their plan and said they</p> <p>23 wouldn't be able to implement it and yet they went</p> <p>24 ahead and adopted it. I've always been puzzled about</p> <p>25 that kind of reasoning, but I see it about to happen</p>
<p style="text-align: right;">Page 531</p> <p>1 some contenders contend adverse effects to wildlife</p> <p>2 will occur by allowing for that limited harvest during</p> <p>3 the first 15 years in the areas that I specified and to</p> <p>4 be specific in your comments.</p> <p>5 If you have any offer for remedy, it</p> <p>6 would be helpful to hear that. And then also it would</p> <p>7 be helpful to hear from those who feel differently from</p> <p>8 that and if you can specific in your comments and also</p> <p>9 focus around any potential remedy, that would be really</p> <p>10 helpful.</p> <p>11 Thank you.</p> <p>12 MS. CAULFIELD: Thank you, Beth. We're</p> <p>13 going to start with the initial comments. Owen Graham</p> <p>14 will lead off with the Alaska Forest Association.</p> <p>15 Before we begin let me just check in</p> <p>16 with the phone. People listening on the teleconference</p> <p>17 please do mute your phones. We're hearing a little bit</p> <p>18 of background noise.</p> <p>19 MR. LAWRENCE: Hi, this is Niel</p> <p>20 Lawrence. I think that background noise is from me.</p> <p>21 Before I leave, just let me just make sure that I hand</p> <p>22 off my five minutes to Holly Harris from Earthjustice.</p> <p>23 Thanks.</p> <p>24 MS. CAULFIELD: Niel, thank you.</p> <p>25 Thanks for saying good morning. We appreciate that</p>	<p style="text-align: right;">Page 533</p> <p>1 again when the Forest Service acknowledges that this</p> <p>2 transition won't work and yet they want to surge</p> <p>3 forward and implement it. I just don't get it.</p> <p>4 The current Wildlife Conservation</p> <p>5 Strategy is an amalgam of overlapping restrictions that</p> <p>6 together with the Congressional set-asides had a result</p> <p>7 of limiting development on 96 percent of the National</p> <p>8 Forest. We don't need anywhere near this level of set-</p> <p>9 asides to protect biodiversity, viability or anything</p> <p>10 else. This is just way overkill.</p> <p>11 The 3.5 million-plus acres of old-</p> <p>12 growth reserves and the connecting corridors prevent</p> <p>13 the Forest Service from implementing its own plans to</p> <p>14 prepare viable timber sales particularly in the lowest</p> <p>15 cost, highest value undeveloped areas while the</p> <p>16 standards and guidelines in what you mentioned, Beth,</p> <p>17 the matrix lands, limit the economic timber sales in</p> <p>18 the areas that are already developed. Another million</p> <p>19 acres of those areas. It's actually about 400,000, but</p> <p>20 the matrix applies to another million acres as I</p> <p>21 understand.</p> <p>22 The standards and guidelines have a</p> <p>23 double impact. They greatly reduce the available</p> <p>24 volume in the roaded areas and they increase the cost</p> <p>25 of harvesting in what would otherwise be a most</p>

<p style="text-align: right;">Page 534</p> <p>1 affordable logging area. The end result is Forest 2 Service gets less stumpage and the timber industry gets 3 less wood to put to its sawmills and everybody loses. 4 It doesn't make any sense.</p> <p>5 The old-growth reserves appear to have 6 been selected without regard to timber operability of 7 the adjacent non-old-growth reserve areas and they 8 frequently prevent logical timber harvest boundaries. 9 This goes on all the time. I work with your Ranger 10 Districts and they're frustrated about these inviolate 11 boundaries that were just arbitrarily drawn on a map 12 and it causes added harvest cost and added wind throw 13 problems.</p> <p>14 An example, I looked at a unit in the 15 steelhead watershed. There's an old-growth reserve 16 boundary that extends just a little ways below an 17 existing road. Without the OGR, the timber from below 18 the road could easily be yarded uphill to the existing 19 road. Instead, someone is going to have to build a 20 spur road up from below and yard the timber downhill, 21 which that costs like double what it does to yarded 22 uphill plus the cost of the road. This will greatly 23 increase the total cost of harvesting that timber and 24 it will result in an isolated fringe of trees just 25 below the high road in a windy area where the old-</p>	<p style="text-align: right;">Page 536</p> <p>1 Service digs these big trenches across there to block 2 access. So the roads aren't a problem for the wildlife 3 until you start digging trenches across them.</p> <p>4 The proposed Tongass -- or what is it, Trout 5 Unlimited 77 set-asides. I looked at a map of those. 6 Those are totally unnecessary. Those watersheds aren't 7 particularly important for fish or wildlife. They 8 mostly appear to be bands of watersheds that were 9 designed to block access for development. They don't 10 appear to have any real biological need for those 11 things.</p> <p>12 I also see a lot of wasted resources in 13 the conservation and roadless areas. I've flown up 14 around Yakutat and other people have and you see 15 hundreds if not thousands of acres of recent blow-down 16 in Yakutat. These areas are almost 100 percent blown 17 down. A big tangled mess of criss-crossed trees and 18 uproots. Some of them spilling into the fish streams 19 and all of it rotting away because of these inflexible 20 no-harvest areas that really serve no benefit.</p> <p>21 Congress already set aside the so- 22 called best areas on the Tongass. Many of them were 23 handpicked and promoted by environmental groups as the 24 best. The remaining areas were intended for multiple 25 use, not single use set-asides. It would be much</p>
<p style="text-align: right;">Page 535</p> <p>1 growth reserve trees are almost certain to blow down. 2 They're not going to benefit wildlife and they're not 3 going to benefit the nearby sawmill. Just a complete 4 waste because of that inviolate boundary. The Forest 5 Service needs to keep the flexibility to themselves to 6 manage around problems like that. Otherwise you're not 7 accomplishing anything.</p> <p>8 I already mentioned wildlife in the 9 harvested areas are doing just fine after 60 years of 10 timber harvest. The deer, the bears, the wolves, 11 birds, all the wildlife seemed to be doing great in the 12 logged areas during the summers. If there is deep snow 13 in the winter, they just walk over to either the older 14 young growth or the old growth stands for a few months. 15 They get along fine. There's no greater wildlife 16 mortality that we've seen in any of the logged areas 17 than in the wilderness areas. This Conservation 18 Strategy is just way overkill.</p> <p>19 Even in Ketchikan you'd see deer living 20 in the residential areas year round. Lots of deer. 21 They don't need big, high-volume old-growth forest to 22 survive. Deer are very adaptable. They get along just 23 fine.</p> <p>24 Most wildlife use the logging roads for 25 travel after we build them, at least until the Forest</p>	<p style="text-align: right;">Page 537</p> <p>1 better if the Forest Service had the flexibility to go 2 in and manage these areas when you have blow-down or 3 when you have a problem with a harvest boundary or some 4 other reason. There's no sense to hamper your own 5 management ability. You're doing this administratively. 6 Nobody is telling you to do it.</p> <p>7 I hear a lot about this high-volume 8 big-tree forest argument. It appears to be nothing 9 more than an attempt to make the impact of the very 10 small percentage of the forest that has ever been 11 harvested appear to be more significant than it is. 12 This is an invention I think.</p> <p>13 The industry didn't high-grade or 14 selectively log high-volume stands. Instead, the 15 industry back in the '50s and '60s, they were logging 16 the most -- they were trying to get most of the 17 operable timber adjacent to each one of their logging 18 camps without regard to whether it was high or low- 19 volume timber. They tried to take as much as they 20 could. The intent was to minimize the mobilization 21 cost and the road amortization cost in those areas. It 22 wasn't to go take out the highest -- we have pulp 23 mills. We'd be happy to take low-volume defective 24 wood.</p> <p>25 The Forest Service told me they don't</p>

<p style="text-align: right;">Page 538</p> <p>1 even know what the mix of high and low-volume stands  2 was for the initial 20 or more years of timber harvest.  3 This whole thing, this high-volume big-tree forest  4 thing is just an invention.  5 The last thing I wanted to say is I've  6 heard a number of remarks over the course of these  7 objection meetings about carbon sequestration. The  8 most aggressive logging plans for the Tongass in the  9 last 30 to 40 years amount to less than 1/10,000ths of  10 the world's forest. It's like nothing. It's a  11 complete joke to talk about concerns about the impacts  12 of logging on carbon sequestration on the Tongass.  13 In addition, the trees we cut we don't  14 vaporize them. We make lumber out of them and they  15 last a long time and then the trees grow back. This  16 whole Conservation Strategy and the idea of locking up  17 this Forest and putting more and more people out of  18 work doesn't make any sense at all, so I encourage the  19 Forest Service to readdress all of that so they can  20 actually implement their plans so that they can provide  21 enough timber to keep the industry viable and doing  22 that won't harm wildlife or fish or anything else.  23 Thank you.  24 MS. PENDLETON: Thanks, Owen.  25 MS. CAULFIELD: Thank you. Let me</p>	<p style="text-align: right;">Page 540</p> <p>1 some difficulties seeing that as a wildlife treatment,  2 but rather than having me argue about what wildlife  3 means or any of us really I feel like we should be  4 deferring to the people who study what wildlife means  5 and what fish means.  6 So I think Holly had some comments on  7 that to come, but I did just want to express my support  8 for the Tongass 77 and Audubon Priority Areas.  9 MS. CAULFIELD: Thank you, Dan.  10 Audubon Alaska. Susan.  11 MS. RUSHMORE: Thank you. Beach  12 fringe, riparian management areas and old-growth  13 reserves compliment each other to create a Conservation  14 Strategy for wildlife. This is the compromise from the  15 1990s carried forward to the 2008 Plan and should be  16 retained in this Amended Plan.  17 Timber has proceeded under this  18 compromise taking many acres of wildlife habitat. Now,  19 from our perspective, this is a shifting baseline to  20 presume that a new compromise is needed. As if we have  21 to choose between ending old growth clearcut logging in  22 10 to 15 years or saving these places that were already  23 saved for wildlife.  24 From our perspective, the Forest  25 Service must end old growth clearcutting and retain</p>
<p style="text-align: right;">Page 539</p> <p>1 check. Alaska Wilderness League. Dan, did you have  2 some initial comments you wanted to make?  3 MR. KIRKLAND: Yeah, I do, but they are  4 very brief. I'll make hopefully less than a minute of  5 comments here and defer the rest of my time to Holly  6 Harris.  7 MS. CAULFIELD: Go right ahead.  8 MR. KIRKLAND: What I did want to say  9 was I want to look at what's been referred to here as  10 the Tongass 77, these priority salmon watersheds as  11 well as Audubon priority lands. This seems like a very  12 positive way of keeping people in work to me. A  13 positive way of maintaining the unique, rare and  14 profitable resources that draw a million people here  15 every year and that's an ability to get out into the  16 Forest to see fish, to see wildlife and for that fish  17 to support other jobs as well in our commercial  18 fishery. To prioritize these places for fish and the  19 other kinds of jobs that we can have in the woods seems  20 like a smart idea to me.  21 I believe we do have some concerns  22 about these riparian beach and estuary components of  23 young growth harvest in the preferred alternative with  24 balancing commercial harvest and wildlife objectives.  25 Even perhaps maybe the size of the 10-acre openings and</p>	<p style="text-align: right;">Page 541</p> <p>1 these areas for wildlife. That is the solution that we  2 believe you're looking for. It could be that a timber  3 industry therefor looks very different than it does  4 today. That's a transition. That's up to Forest  5 Service and industry to make it happen. We don't  6 believe it's up to conservation areas and wildlife.  7 They've already made that compromise.  8 The young growth direction purports to  9 be going into these areas for both timber and wildlife  10 purposes, but we can tell you definitively that we know  11 of no scientific evidence that these prescriptions will  12 benefit wildlife. The FEIS response to comments, the  13 Forest Service doesn't offer any evidence or it cites  14 to reports that when you look them up they don't  15 support those claims.  16 Clearcuts of 10 acres are still  17 clearcuts, which sets back those areas for wildlife.  18 The only restoration method that makes sense to us is  19 selective cuts of one to three trees that would mimic  20 natural processes and encourage multi-story, multi-age  21 forest characteristics. We feel strongly instead that  22 these areas should simply be left alone for nature to  23 sort out in the next decades or centuries to return to  24 old growth characteristics.  25 However, if the Forest Service wanted</p>

<p style="text-align: right;">Page 542</p> <p>1 to learn from this opportunity and gather some evidence  2 to support their contention that some kind of  3 prescription would be beneficial to wildlife, the  4 Agency could do selective one to three tree cuts in  5 some areas and leave other areas off limits as a  6 controlled experiment coupled with wildlife monitoring  7 to look at wolf and deer response to each treatment and  8 that would start to provide some of the first clues  9 that we're lacking here in understanding how wildlife  10 might respond to these various prescriptions. It would  11 also employ some biologists out there.</p> <p>12 Those are our comments and we're also  13 letting our objection letter stand.</p> <p>14 MS. PENDLETON: Thank you, Susan. City  15 of Wrangell. Carol Rushmore, do you have any comments  16 you wanted to offer as initial comments at this time?</p> <p>17 MS. RUSHMORE: Forgive me if I'm not  18 using the right terminology. I'm going to try to  19 explain what I'm talking about and I'm going to be more  20 specific just because we're much more aware of our  21 specific area but I can't believe what I'm going to try  22 to explain isn't transferrable or happening elsewhere  23 on the Tongass.</p> <p>24 I hope I'm going to address your  25 comments, Beth, but ours has to do with the Tongass 77</p>	<p style="text-align: right;">Page 544</p> <p>1 However the area that's being impacted has already been  2 harvested. So when you take in the green up, when you  3 take in the visual priority routes and you take in all  4 these other requirements, it's not like there's going  5 to be a large-scale clearcut in there. There's going  6 to be small areas as we go.</p> <p>7 But that's what Wrangell is objecting  8 to is that you have removed the ability to include that  9 area, which is on the road system, already impacted and  10 our existing sale that could actually benefit the guys  11 that we have here in Wrangell working right now.</p> <p>12 So I hope I'm making sense on this  13 because I'm really not quite sure how to explain it in  14 the Forest Service speak, but that's our objection.</p> <p>15 Thank you.</p> <p>16 MS. PENDLETON: Thank you, Carol.  17 Thank you for your focus on the VCU, which is a value  18 comparison unit, and I clearly followed what you were  19 talking about, so thank you for those remarks. It was  20 helpful.</p> <p>21 MS. CAULFIELD: Thanks, Carol. So  22 Defenders of Wildlife, Pat Lavin.</p> <p>23 MR. LAVIN: Hi, Jan. For initial  24 statement purposes, I want to give my time over to  25 Holly Harris at Earthjustice, please.</p>
<p style="text-align: right;">Page 543</p> <p>1 watersheds and I think it was very misleading to a lot  2 of folks here because the one that's very applicable to  3 us is the T-77 Thoms Lake watershed, but it's not a  4 watershed. It's a VCU area and I don't think people  5 here understood that.</p> <p>6 So it really needs to be clarified  7 because not only -- if we're talking about young growth  8 in the future, I think folks understand Thoms Lake is  9 extremely important for the fisheries, for the other  10 resources there, but the VCU area itself is much, much  11 broader than that.</p> <p>12 So they're saying there's not even  13 going to be any old growth harvest in this VCU area.  14 I'm not talking about Thoms Lake watershed specific,  15 but the Tongass 77 VCU watershed area. So it  16 dramatically impacts our Wrangell Island sale volume.  17 The area I'm specifically talking to I think is  18 Skipping Cow or Skipping Loop or whatever it is, I  19 can't remember the name of it, but the creeks there  20 don't even drain directly into Thoms Lake.</p> <p>21 They're on that complete other side  22 where there is drainage from the wetlands and what have  23 you into the lake. It's not the area that's affecting  24 Thoms Creek specifically where the fish run. I know  25 there's all this biological stuff that affects.</p>	<p style="text-align: right;">Page 545</p> <p>1 MS. CAULFIELD: Okay. We'll go right  2 to Earthjustice. So Holly, good morning. Holly  3 Harris.</p> <p>4 HOLLY HARRIS: Good morning, everybody.  5 I want to first explain, as we have through the course  6 of this meeting, that we continue to rely on our  7 objection and our objection explains in its totality  8 our concerns.</p> <p>9 Obviously today I need to focus my  10 comments on a few isolated areas, but I don't want you  11 to take away that we're in any way limiting our  12 objection. That's, of course, been true over the  13 course of the five days.</p> <p>14 I'd like to begin with some high-level  15 comments and then I'd like to focus on two particular  16 areas. First, that's the integrity and the Agency's  17 evaluation of the integrity of the Conservation  18 Strategy and then focus more on the second growth  19 logging in these ecologically sensitive areas.</p> <p>20 I will caution that this is the one  21 time in the agenda where I do intend to go over my five  22 minutes, but as you've heard I've had some folks,  23 partners and colleagues devote their time.</p> <p>24 A cornerstone of the Tongass Forest  25 Plan for almost two decades has been a reliance on</p>

<p style="text-align: right;">Page 546</p> <p>1 scientifically defensible management. The Agency has  2 convened expert panels and peer reviewers from both  3 within relying on the expertise of the Agency but most  4 importantly welcoming outsiders and experts from other  5 agencies; Fish and Wildlife Service, State of Alaska,  6 experts from academia. And relying on those expert  7 panels and those expert opinions, the Agency developed  8 the 1997 Forest Plan.</p> <p>9 Most importantly, it again relied on  10 that expertise in amending the 2008 Forest Plan. It  11 used that science and relied on those expert opinions  12 in deciding how to manage the Tongass and what  13 prescriptions and what standards and guides needed to  14 be in place to ensure we were achieving all of the  15 desired outcomes on the Tongass.</p> <p>16 Yet when the Forest Service confronts  17 one of the single most important decisions of our  18 generation, the Agency has abandoned that approach.  19 The Agency acknowledges there is extensive scientific  20 research since 2008 that in some cases has revealed  21 widespread questions and concerns regarding the  22 efficacy of that strategy, concerns regarding birds,  23 fish and wildlife on the Tongass, the Agency refused to  24 even consider the science. Instead the Agency offered  25 excuses. There wasn't time, we couldn't finish fast</p>	<p style="text-align: right;">Page 548</p> <p>1 Agency has proposed. They range from the Fish and  2 Wildlife Service, the Pacific Northwest Research  3 Station, experts across academia and even experts  4 within your own agency.</p> <p>5 The Forest Service apparently or is  6 poised to make a decision to log some of the most  7 ecologically important areas of the Forest and yet it  8 is doing so over the objections of the scientific  9 community and without any supporting science.</p> <p>10 The fact is, the law is, the Agency  11 cannot refuse to examine the scientific basis upon  12 which you are founding your management decisions. To  13 do so violates NFMA and because it is included in the  14 FEIS the Agency is violating NEPA.</p> <p>15 Let me turn now to the Conservation  16 Strategy. I want to be clear here that these concerns  17 regarding the Conservation Strategy would be a problem  18 even if we weren't going into second growth areas. So  19 this is sort of the overall management approach for the  20 Conservation Strategy.</p> <p>21 When the Agency developed the 1997  22 Forest Plan, it drew together widespread expertise from  23 across all aspects of both governmental science,  24 academia. It included experts from Federal agencies  25 and from the State. It included a peer review and</p>
<p style="text-align: right;">Page 547</p> <p>1 enough if we looked at the science, it was beyond the  2 scope of the Amendment.</p> <p>3 And then when pushed by almost  4 universal objection from the scientific community on  5 the proposed changes to this Amended Forest Plan, the  6 Agency went out and solicited the opinions of three  7 different experts. Even those experts rejected the  8 Agency's approach to the evaluation of the Conservation  9 Strategy and the Agency's refusal to consider new  10 science. Those are your own experts telling you this  11 doesn't work.</p> <p>12 From the beginning of the 1997 Forest  13 Plan, the Forest Service's experts concluded that  14 certain areas should not be logged and we could not  15 allow road building. Those areas include from the  16 beginning old-growth reserves, riparian and estuary  17 areas, and the Agency's experts based those conclusions  18 to protect those areas on science and on those expert  19 opinions.</p> <p>20 The Agency's decision to reverse course  21 and now be making management decisions without the best  22 available science is contrary to law and it renders the  23 decision arbitrary.</p> <p>24 I won't go through at this point the  25 litany of experts who have disagreed with what the</p>	<p style="text-align: right;">Page 549</p> <p>1 pulled together all of these experts to look at what  2 was in the best interest of the science -- what was the  3 scientific basis and then the management decisions that  4 needed to spring from that science.</p> <p>5 When it came time to amend the Plan in  6 2008, the Agency underwent what was called a  7 Conservation Strategy Review. I call it you got the  8 band back together. You got everybody back in a room  9 and said what has developed since 1997. What new  10 science have we learned and how do we have to modify  11 the Forest Plan to account for that new science. What  12 new Forest Plan prescriptions, standards, guidelines do  13 we need to account for that new scientific  14 understanding.</p> <p>15 Because it's important, I want to just  16 reference a couple of statements from the Agency  17 itself. I remind you it's about 170 pages of a roughly  18 five-day workshop that you all convened, pulled  19 together all of these experts and prepared a report  20 that's roughly 170 pages. There's a lot of supporting  21 material as well, but I draw your attention to the  22 approach you took in 2008 when you were last amending  23 the Forest Plan.</p> <p>24 In the Agency's own words, the reason  25 you did this, and I'm just going to quote a couple of</p>



<p style="text-align: right;">Page 550</p> <p>1 pieces here, central to the Tongass Conservation 2 Strategy Review was a week-long facilitated workshop 3 held April 10th through 14th, 2006. The workshop 4 brought together scientists, technical experts and land 5 managers with expertise in conservation biology and 6 natural resource management.</p> <p>7 The objectives of the workshop were to, 8 one, facilitate robust discussions between an 9 interagency workgroup and invited scientific and 10 technical experts regarding new information attained 11 since 1997 that may be relevant to the Conservation 12 Strategy. Two, to generate and discuss science- 13 informed considerations relative to the strategy.</p> <p>14 Considerations included the need to 15 attain additional information or conduct additional 16 analysis regarding a scientific question or issue, the 17 need for change to the Conservation Strategy or other 18 investments or work.</p> <p>19 The results of the workshop will assist 20 the Forest Supervisor in considering the need for 21 adjustments to the Forest Plan Monitoring Program, the 22 Forest Plan standards and guidelines and aspects of the 23 Conservation Strategy. The results will also guide 24 future investments in research and management studies 25 by the Tongass National Forest and its interagency partners.</p>	<p style="text-align: right;">Page 552</p> <p>1 evaluation of the integrity of the Conservation 2 Strategy.</p> <p>3 Second, these assertions in the FEIS 4 rely on key habitat factors being maintained, which of 5 course is not the case. We're here to talk about the 6 fact that you're going to open up the most ecologically 7 sensitive second-growth areas on the Tongass to 8 commercial logging and indeed clearcutting of up to 10 9 acres. Again, with no scientific base to support that 10 management decision.</p> <p>11 Finally, the FEIS assumes that less 12 overall logging must mean fewer impacts to wildlife. 13 This Forest Plan doesn't, in fact, limit old growth 14 logging. It opens up the most sensitive areas of 15 second growth to logging for the first time in decades. 16 In fact, the only areas of the Tongass that have even 17 the potential of positively appraised timber sales are 18 the very areas that your experts have told you are key 19 to maintaining the viability of wildlife species on the 20 Tongass.</p> <p>21 Finally the Agency has ignored a vast 22 -- it admits it is ignoring a vast body of expert and 23 scientific opinion that has arisen since we last 24 amended the Forest Plan. Science that has called into 25 question the efficacy of the conservation strategy and</p>
<p style="text-align: right;">Page 551</p> <p>1 True to that commitment the Agency made 2 certain revisions to the Forest Plan based on that 3 scientific input. We fast forward to 2016 and the 4 Agency completely abandons that approach. Instead the 5 Agency and the FEIs says this. The Agency made 6 assumptions. You assumed it would be okay. I'm 7 quoting here, First it can be assumed if the integrity 8 of the Forest Plan Conservation Strategy is maintained, 9 there's a high likelihood the Forest Plan Amendment 10 would continue to provide habitat sufficient to support 11 viable, well-distributed wildlife populations.</p> <p>12 Second, if the Forest Plan Amendment 13 maintains the key habitat factors identified as 14 important to maintaining viability by the panel 15 assessments for each species or species group, then 16 there is a high likelihood that the Forest Plan 17 Amendment would be at least as likely as the current 18 Forest Plan to maintain viable populations.</p> <p>19 Let me point out at least four points 20 as to why the Agency is incorrect in this regard. Your 21 record demonstrates the premises upon which these 22 assertions are based, that the integrity of the 23 Conservation Strategy will be maintained, is in fact 24 incorrect. I'll turn back to the fact that your own 25 experts have told you they don't support your</p>	<p style="text-align: right;">Page 553</p> <p>1 specific concerns regarding individual species. Again, 2 that's not my assertion. The FEIS acknowledges that's 3 what you're doing.</p> <p>4 In making that decision to refuse to 5 look at the new science or to even engage in that 6 inquiry, I won't go through the litany of experts who 7 objected to that approach, but I would like to point to 8 at least one instance and that is the Fish and Wildlife 9 Service. The Service expressed a specific concern 10 regarding the Forest Service's refusal to consider 11 contemporary science, and now I'm quoting, we also 12 recommend that specific elements of the conservation 13 strategy be updated with the best available scientific 14 data and strengthened by incorporating experience from 15 the last 20 years of management. Specifically where 16 available information suggests the current conservation 17 strategy is not adequate to sustain vulnerable species, 18 end quote.</p> <p>19 The DEIS admitted that there was all of 20 this new science and admitted, and I quote, it may 21 warrant an assessment of the efficacy of the original 22 Conservation Strategy design criteria, but then went on 23 to say that that was beyond the scope of this 24 Amendment.</p> <p>25 Let me be clear. This Forest Plan is</p>

<p style="text-align: right;">Page 554</p> <p>1 governed by the same viability obligations and the same  2 legal requirements under NFMA as the 2008 Plan was. It  3 wasn't beyond the scope of your Amendment in 2008. It  4 isn't beyond the scope of the Amendment this time  5 around. For similar reasons, you also have a NEPA  6 problem because you've ignored relevant information in  7 your EIS.</p> <p>8 The FEIS went on to say, well, maybe we  9 shouldn't go that far. We're going to pull together a  10 three-panel group of scientists to opine on the overall  11 integrity of the conservation strategy. Again, these  12 are your people commenting on your review of is the  13 Conservation Strategy still intact or is there new  14 science that we need to be looking at and making any  15 necessary changes to that approach in the roughly eight  16 years since we last saw you amend the Forest Plan.</p> <p>17 I'm going to highlight just a couple of  18 quotes. Let me point to Dr. Roeloff who questioned the  19 Agency's entire approach to evaluating the ongoing  20 integrity of the Conservation Strategy, and here I'm  21 quoting. I apologize. I'll try to point out when  22 there's an ellipses. I'm breaking up a large body of  23 comment here.</p> <p>24 My most critical comment on the  25 evaluation strategy relates to the proposed process for</p>	<p style="text-align: right;">Page 556</p> <p>1 range of scientific publications.  2 Your third expert, and I need to  3 apologize, I cannot pronounce Fiona.....  4 MS. PENDLETON: Schmiegelow.  5 MS. HARRIS: Schmiegelow. My apologies  6 to Ms. Schmiegelow. She said it would be prudent  7 however to evaluate whether new knowledge is available  8 to assess the efficacy of the original design criteria  9 vis-a-vis species and for use as a fine filter when  10 considering the proposed amendments to the broader  11 plan. As a fundamental principal, the evaluation  12 should not be constrained by the parameters of the 1997  13 Plan as a basis for comparison if more recent  14 information suggests that other considerations are  15 necessary to meet species needs.</p> <p>16 This is not the voice of the  17 conservation community. These are your own experts  18 telling you what you've done isn't good enough.</p> <p>19 Let me turn now to the issue of second  20 growth and a little bit of history. I'm the history  21 buff. I'm the one who reads all these administrative  22 records. The Agency's viability experts in 1997 came  23 together and told the Agency that you needed to  24 maintain, you needed Plan mechanisms to protect six  25 basic components of the Tongass and I won't go through</p>
<p style="text-align: right;">Page 555</p> <p>1 determining whether the integrity of the 1997 Plan is  2 compromised. He then continues, quote, in my opinion,  3 bootstrapping qualitative opinions on Plan performance  4 from only three biologists or ecologists adds a false  5 sense of statistical rigor to the outcome. He  6 continues, quote, I hate to be so hard on the proposed  7 approach, but bottom line I think the Tongass needs to  8 be more thoughtful on the evaluation process relying on  9 quantifiable metrics that can withstand analytical  10 scrutiny, end quote. That's your expert.</p> <p>11 Suring (ph) similarly challenged the  12 Forest Service's decision to rely on the opinions of  13 three experts. He instead recommended that the Agency,  14 quote, produce metrics that provide measurements  15 suitable for describing the landscape resulting from  16 the current application of the Conservation Strategy,  17 end quote.</p> <p>18 He goes on to say, quote, during the  19 last two decades other critical work in landscape  20 ecology has been completed and published that would be  21 of value in this review. He identifies several of  22 these studies. Quote, additionally, since the strategy  23 was developed, substantial additional work has been  24 completed and published on landscape patterns of focal  25 species included in the strategy. Again, identifying a</p>	<p style="text-align: right;">Page 557</p> <p>1 all of those, but let me hit on four of those.  2 The Agency asked these experts will we  3 have a high likelihood of maintaining viable species if  4 we do these things. Those include riparian habitat  5 protection, cultural systems that favor natural  6 disturbance rather than, quote, large-scale short  7 rotation clearcutting, old-growth reserves, retention  8 of current vegetation in beach and estuary fringe and  9 species specific standards and guides. Of those six  10 factors the Agency is modifying four of them without  11 scientific basis.</p> <p>12 When the Agency was proposing the 1997  13 Plan, the concept of logging in these second growth  14 areas was raised. The peer review panelists came back  15 and firmly rejected even second growth in these  16 ecologically important areas, and I want to be clear  17 here, commercial logging and road building in these  18 areas. Quote, no logging or further road building  19 should be undertaken in the HCAs, end quote.</p> <p>20 They offered this recommendation and I  21 think this is an important point because they recognize  22 that second growth can, in many instances, serve an  23 important function for old-growth-dependant species.  24 I'm quoting, some species associated with old growth  25 will also be able to use second growth generally.</p>

<p style="text-align: right;">Page 558</p> <p>1 Others will need second growth for dispersal between  2 patches and some may never enter second growth, but for  3 those species that use second growth in some way  4 overall viability may depend on the kind, amount and  5 spacial distribution of second growth that exists, end  6 quote.  7 Again, we see a chorus of experts  8 support this conclusion. I'm just going to quote here  9 very quickly, thinning of second growth within HCAs and  10 within narrow riparian and seaside buffers should not  11 be allowed, end quote.  12 Quote, buffer zones along waterways and  13 coasts are clearly important to the success of the Plan  14 as well as the successful conservation of several  15 species, end quote.  16 Quote, the whole concept of HCA as  17 being susceptible to timber harvest violates the basic  18 foundations of any viable meta community plan, end  19 quote. Yet in the FEIS and the Draft ROD you fail to  20 identify or even acknowledge any of these concerns.  21 These are the folks, these are the experts who helped  22 you build your Plan in the first place.  23 But let's move ahead to 2016. We get  24 your proposed Plan, it goes out for review and what do  25 we see. We see Fish and Wildlife Service universally</p>	<p style="text-align: right;">Page 560</p> <p>1 very eloquently said what the Agency should have done  2 in terms of the Conservation Strategy. Basically all  3 that she said begs the question how did we arrive at  4 this sorry state of affairs in the Plan Amendment  5 process. So that's what I'm going to talk about.  6 The FEIS avers that the Tongass  7 Advisory Committee, the TAC, which was dominated by  8 timber industry interests, quote, honored the suite of  9 economic, ecological and social and cultural values  10 inherent in the forest. The FEIS also identifies  11 collaboration and litigation as factors driving the  12 need for the Amendment.  13 The former Forest Supervisor appointed  14 20 TAC members and alternates. Five of them, included  15 two of the three so-called conservation  16 representatives, were from the Forest Service's forest  17 products cluster workgroup, an advisory body charged  18 with developing strategies to promote the timber  19 industry. Another five members were from the timber  20 industry itself and a sixth was a mayor of a mill  21 community. So that's at least 11 out of the 20 with a  22 particular bias in that direction.  23 Of additional note, the conservation  24 representative from the Nature Conservancy was a former  25 Forest Service employer and was married then to the</p>
<p style="text-align: right;">Page 559</p> <p>1 rejecting what you're doing.  2 I just want to check in. One minute on  3 how long?  4 MS. FENSTER: 19.  5 MS. HARRIS: 19? Okay. Fish and  6 Wildlife Service, let me cut to the end, concluded that  7 your proposal, quote, seriously compromises the  8 integrity of the Conservation Strategy. Neither the  9 FEIS nor the Draft ROD even acknowledges this expert  10 criticism nor any of the other experts.  11 The fact is time and time again from  12 experts within your own Agency, from the architects of  13 your Conservation Strategy, from experts across Federal  14 and State agencies they have told you you need to look  15 at the science in making these management decisions.  16 You have chosen to ignore those concerns and the Agency  17 does so at its peril.  18 MS. CAULFIELD: Holly, thank you.  19 We're going to go to Larry Edwards with the Greater  20 Southeast Alaska Conservation Community. So, Larry.  21 MR. EDWARDS: I'll be speaking both for  22 Greenpeace and GSACC. Our objection speaks for itself.  23 Holly has spoken very well for most of the points I  24 would raise. What I'd like to do is speak to what the  25 Forest Service did instead of doing what Holly just</p>	<p style="text-align: right;">Page 561</p> <p>1 Deputy Forest Supervisor Tricia O'Connor. The TAC's  2 recommendation became the selected alternative. Before  3 that the Forest Service's so-called conservation  4 representatives voted to violate the Conservation  5 Strategy's non-development LUDs to gain second growth  6 volume and for the removal of at least another half  7 billion board feet of old growth over the next 15  8 years.  9 It's unreasonable to assume that the  10 agreement of this kind and this level of logging by two  11 conservation representatives who have significant  12 financial relationships with the Agency and work  13 closely with the industry. And a third such  14 representative who was of like mind could reach an  15 agreement that would again, quote, honor the Forest's  16 economic and ecological values or reduce the number of  17 citizen law enforcement actions.  18 I would point out regarding those  19 financial relationships that one of these  20 representatives is from an organization that over a  21 period of four years had over half a million dollars in  22 National Forest Foundation grants and the other one  23 combining two different years had grants from that of  24 about \$387,000, so that's very substantial.  25 Yet the Forest Service failed to</p>

<p style="text-align: right;">Page 562</p> <p>1 establish reasonable representation for the 2 conservation environmental community on the TAC is 3 evident in the strong opposition to the selected 4 alternative by all 12 organizations on the GSACC, et 5 al, and the Alaska Wilderness League, et al, Draft EIS 6 comments and their subsequent letters of objection. 7 All 12 have long involvement in Tongass timber sale 8 planning processes.</p> <p>9 The record shows that these groups 10 believe that the selected alternative from the TAC will 11 perpetuate the destruction of Tongass old growth.</p> <p>12 For the above reasons, GSACC, et al, 13 requested in our objection and our earlier DEIS 14 comments that you order the development of a new 15 purpose and needs statement that reflects the broader 16 economic and ecological needs of Southeast Alaska's 17 residents and wildlife as reflected in significant 18 changes since the 2008 Amendment and as necessary to be 19 consistent with the Agency's multiple use mandate and 20 the planning rules requirements that Forest Plans 21 provide for ecological and social and economic 22 sustainability.</p> <p>23 That includes bringing the conservation 24 strategy up to snuff because, as noted, after the '97 25 Plan by the all-joint statement, these were peer</p>	<p style="text-align: right;">Page 564</p> <p>1 My comments will be narrow concerning 2 wildlife species specifically. I want to thank you for 3 the opportunity to comment and recognize that this is a 4 challenge to be sure. As noted in our initial comments 5 for the FEIS, we do believe overall that moving into a 6 second growth management strategy is appropriate. For 7 many decades the Department and the Service have worked 8 together to protect old-growth area, old-growth 9 reserves, recognizing the value to wildlife species.</p> <p>10 We also have to recognize that the 11 Tongass National Forest incorporates a variety of 12 systems, ecosystems, watersheds, social systems and 13 very few of them are alike. There's lots of 14 differences, islands, mainland areas and in those 15 systems various wildlife species are relied upon for 16 subsistence uses, recreational uses, a variety of user 17 groups. In that I would suggest that the term 18 viability is something that sets a fairly low bar. We 19 look at cooperative management and wildlife and I 20 suggest that sustainability is a higher bar to strive 21 for.</p> <p>22 Overall the Department recommends and 23 we would gladly enter into this together cooperatively 24 that additional science and research is conducted on 25 plans for second growth management. Fundamentally, the</p>
<p style="text-align: right;">Page 563</p> <p>1 reviewers of the Conservation Strategy that it wasn't 2 adequate then and we have much more recent evidence 3 that Holly alluded to that despite the fact that we 4 haven't logged the ASQ that it's still not adequate. 5 So we need to bring it up to snuff as well as not 6 allowing logging or commercial thinning in the 7 component areas of the Conservation Strategy.</p> <p>8 So I'll just leave it there. Thank 9 you.</p> <p>10 MS. CAULFIELD: Thank you, Larry. 11 Meredith, let me check with you. Southeast Alaska 12 Conservation Council, did you have more remarks that 13 you wanted to make?</p> <p>14 MS. TRAINOR: No. We support the 15 comments that were made by Earthjustice on behalf of 16 the joint objection. Thank you.</p> <p>17 MS. CAULFIELD: All right. Thank you. 18 So State of Alaska. Chris and Ryan.</p> <p>19 MR. MAISCH: Yeah, thanks. I'm going 20 to turn it over to Ryan and you can reintroduce 21 yourself and go ahead.</p> <p>22 MR. SCOTT: Thank you. My name is Ryan 23 Scott. I'm the Regional Supervisor with the Division 24 of Wildlife Conservation in Southeast Alaska with the 25 Alaska Department of Fish and Game.</p>	<p style="text-align: right;">Page 565</p> <p>1 landscape has changed. There is old growth parcels and 2 tracts available and out there we seek to keep those in 3 place, recognizing that there's a variety of users that 4 have interest in those areas.</p> <p>5 We're switching to a new management 6 regime, to a second growth management plan. Even with 7 the resources and the research that's available now it 8 appears that there is a lot of work to do to understand 9 what these changes in management approaches will be. 10 What will be the impacts to wildlife species. We have 11 some very high-profile species that we're all very 12 familiar with. Sitka Black-tailed deer, Alexander 13 Archipelago wolves, black bears, brown bears. We have 14 bats. We have a variety of things that utilize this.</p> <p>15 The knowledge base for understanding 16 what the impacts, the long-range impacts to treatments 17 to second growth forest are fairly misunderstood or 18 poorly understood might be a better characterization.</p> <p>19 Our initial comments were described as 20 being outside the scope of the amendment process. I 21 believe that legally that may very well be. However, I 22 think that the process to move forward is going to 23 require that. It's going to require a long-term 24 approach to recognizing what these changes are going to 25 be.</p>

<p style="text-align: right;">Page 566</p> <p>1 In terms of monitoring, monitoring 2 programs currently in place for the Forest Management 3 Plan they're based largely on old growth and they're 4 based largely on things that we've learned over time. 5 We're going to change that dynamic through the next 6 phase of this and those monitoring programs will need 7 to be updated to reflect that.</p> <p>8 Some of the specific opportunities to 9 get into how this will move forward includes directed 10 research to treatment options, reviewing areas that 11 will be -- that are targeted for harvest, road building 12 entries to places that are currently closed to entry, 13 but it is going to take time and it's going to take 14 some very focused energy and resources to understand 15 that.</p> <p>16 Thank you for your time. I know this 17 is a struggle. It's a challenge for everybody. The 18 citizens of the Tongass and all the user groups I 19 believe would support additional research into the 20 wildlife species and into the areas that we intend to 21 look into for harvest.</p> <p>22 Thank you.</p> <p>23 MS. CAULFIELD: Thanks very much, Ryan. 24 Trout Unlimited. Austin Williams. 25 MR. WILLIAMS: Thank you. Austin</p>	<p style="text-align: right;">Page 568</p> <p>1 businesses that relied on these areas, so these places 2 are not just ecologically important from a fish 3 production issue, but they're also economically 4 important for many local communities.</p> <p>5 One of the things we tried to do in 6 identifying these areas is ensure that we had 7 representation across the Forest. There are watersheds 8 all the way from Yakutat down to southern Prince of 9 Wales Island and that was by intent. I think the 10 importance of these areas is reflected in the broad 11 support that the public expressed through the various 12 comment periods in support of greater protections for 13 fisheries in the Plan Amendment process, through 14 various businesses that have spoke out in favor of the 15 Tongass 77 and through the unanimous recommendations of 16 the Tongass Advisory Committee.</p> <p>17 So all of these I think present an 18 opportunity in this Forest Plan to really help manage 19 the Tongass in a way that puts some of the past 20 divisiveness behind us, that recognizes that there are 21 a broad array of uses of the Forest and that fisheries 22 and tourism and the businesses that operate on the 23 ground, the fishing boats that fish at the bays and 24 estuaries of these streams are really important and are 25 vital to the economy and well-being of Southeast Alaska</p>
<p style="text-align: right;">Page 567</p> <p>1 Williams with Trout Unlimited. Thanks for the 2 opportunity to provide comment and input now and 3 throughout this process. I very much appreciate the 4 Forest Service efforts on the Plan Amendment. Trout 5 Unlimited has been working on the Tongass 77 for a good 6 number of years. I was trying to think and I've 7 probably been saying that it's been a seven-year 8 program for about the last five years, so it's going 9 back a long time.</p> <p>10 The Tongass 77 is a collection of 11 watersheds throughout Southeast Alaska that were 12 identified through input from various State and Federal 13 Agency experts, through scientists at the Nature 14 Conservancy and Audubon Alaska, as well as various 15 other stakeholders.</p> <p>16 We took -- you know, we endeavored to 17 identify the most productive watersheds in Southeast 18 Alaska primarily focused on salmon production, but that 19 often correlates as well to other wildlife species and 20 Forest productivity generally. What we found when we 21 took the maps that we were considering in the early 22 stages out into communities to talk with other 23 stakeholders that these were also the areas that 24 supported Southeast Alaska's fisheries and tourism 25 interests and that there were a huge number of</p>	<p style="text-align: right;">Page 569</p> <p>1 and I am heartened that the Forest Service has included 2 the Tongass 77 in the Proposed Plan Amendment.</p> <p>3 I do have concerns about the -- I've 4 called them a relaxation of standards and guides in the 5 young growth pieces of the RMAs and beach and estuary 6 fringe. I think there could be some improvements to 7 those standards and guides. But, in balance, I think 8 it's a reflection of these areas huge importance, the 9 body of support that has been shown for the Tongass 77 10 throughout this process and over the past years and I 11 encourage the Forest Service to maintain those 12 protections in the final ROD.</p> <p>13 With that, I think I'll save the rest 14 of my comments for the discussion. Thank you.</p> <p>15 MS. CAULFIELD: Okay. Thank you, 16 Austin. I think that takes care of initial comments 17 from those that we had polled at the very beginning of 18 the session. I just want to check on the phone if 19 there's any other parties who have status as objectors 20 or interested persons related to this issue, discussion 21 of the Wildlife Conservation Strategy. Is there anyone 22 that joined us since we did our initial polling at the 23 beginning of the morning who has that status and wants 24 to make some initial comments. 25 (No response)</p>

<p style="text-align: right;">Page 570</p> <p>1 MS. CAULFIELD: Okay. So my suggestion 2 is that we take a 10-minute break, Beth, does that 3 sound good? 4 MS. PENDLETON: Uh-huh. 5 MS. CAULFIELD: So let's take a 10- 6 minute break until 10:15. We'll come back and open 7 that next discussion session with some questions from 8 Beth. Thanks very much. We'll see you in 10 minutes. 9 Thanks to those on the phone. 10 (Off record) 11 (On record) 12 MS. CAULFIELD: So we will reconvene 13 and we're going to enter into the discussion part of 14 this morning's topic and so turn it over to Beth for 15 her opening on that and questions she'd like to discuss 16 with the group. 17 MS. PENDLETON: Thank you, Jan. And 18 thank you to everybody who shared perspectives and 19 remarks around the harvest components of the Wildlife 20 Conservation Strategy and other areas. 21 I realize this is a difficult subject 22 and we've got perspectives on all sides of the issues. 23 My interest, I have a number of questions that I would 24 like to explore, so I would like you to bear with me. 25 I also acknowledge that as the Tongass</p>	<p style="text-align: right;">Page 572</p> <p>1 Then finally the old-growth reserves 2 with young-growth harvest, potentially about 1,800 3 acres. So just to set some perspective. This 4 information, of course, is in the Forest Plan, but to 5 set some perspective here. 6 So the first question that I would 7 appreciate some feedback on is whether or not objectors 8 could support modifications to the selected alternative 9 that eliminated commercial harvest in RMAs and that is 10 about 1,000 acres potentially available for limited 11 young growth harvest. 12 HOLLY HARRIS: My apologies, but could 13 you please rephrase that question. I want to make sure 14 I'm understanding the question. 15 MS. PENDLETON: So my question is could 16 you support modifications to the selected Alternative 5 17 that eliminated commercial harvest in riparian 18 management areas. Could you support that. 19 MS. CAULFIELD: Austin. 20 MR. WILLIAMS: I'll be the first person 21 to stick their neck out a little bit on this I guess. 22 I think this modification to the preferred Alternative 23 would make a lot of sense. I think the RMA, 24 particularly the RMAs in the T-77 TNC/Audubon areas 25 represent a very small component of the young growth</p>
<p style="text-align: right;">Page 571</p> <p>1 Advisory Committee was meeting and developing their 2 recommendations there was a recognition and this ties 3 closely to timeframes around transition and a lot of 4 heated discussion and compromise ultimately realized by 5 the Advisory Committee as I discuss these very 6 particular issues in order to effect a more rapid 7 transition there would be a need to look at harvest in 8 some components of the Wildlife Conservation Strategy 9 in other areas. This was a very difficult discussion 10 and deliberation on the part of that group as they 11 brought their recommendations forward. 12 So my questions, I'd like to begin the 13 discussion with looking at some of the modifications in 14 the selected Alternative and garner some interest on 15 behalf of objectors of your feedback to me. 16 The first that I'd like to talk about 17 and I want to just set a little stage too that we're 18 talking about for example in the riparian management 19 areas about 1,000 acres affected on the Tongass 20 potentially that could be open for some limited 21 selective harvest. 22 Similarly with the beach fringe, about 23 3,500 acres available across four development LUDs 24 including old-growth reserves, modified landscape, 25 scenic view shed and the timber LUD.</p>	<p style="text-align: right;">Page 573</p> <p>1 suitable land base in the preferred alternative. As 2 you mentioned, Beth, it's 1,000 acres. 3 It seems that these areas are not 4 hugely important from a commercial timber supply 5 standpoint. With additional research and properly 6 designed projects I could see some management activity 7 in these areas that was not based around commercial 8 timber production that was designed to improve the 9 conditions on the land or meet some other non- 10 commercial management objective, but ultimately these 11 areas are a hugely important area for fish and wildlife 12 and for the ecology of the landscape and are quite 13 small from a timber supply standpoint. So I think it 14 would make a lot of sense to modify the preferred 15 Alternative as you suggested. 16 MS. PENDLETON: Thank you, Austin. 17 Chris. 18 MR. MAISCH: Yeah, thank you and good 19 morning to folks here again. I'll just speak briefly 20 to this point. As a member of the TAC and the State 21 participation in the TAC, I would stay with the 22 recommendation that the TAC made on this topic. As was 23 just outlined, this is a relatively insignificant 24 amount of acreage but yet a very important part of 25 potentially accelerating the transition.</p>

<p style="text-align: right;">Page 574</p> <p>1           You'll recall Eric's one-to-one comment</p> <p>2   last week talking about for every piece of young growth</p> <p>3   we can bring forward sooner, that means one less piece</p> <p>4   of old growth that has to fill in the deficit from a</p> <p>5   volume side.</p> <p>6           I also wanted to talk a little bit</p> <p>7   about the Conservation Strategy and when it was first</p> <p>8   put into place. You might recall in '97 the allowable</p> <p>9   cut was about 267 million on the Forest, 2008 248</p> <p>10   million, today potentially roughly 46 million. That's</p> <p>11   about a five-fold decrease in the amount of harvesting.</p> <p>12   When that Conservation Strategy was envisioned, it</p> <p>13   envisioned that same level of old-growth harvesting</p> <p>14   continuing into the future.</p> <p>15           That was definitely one of the things</p> <p>16   the TAC made some discussion and some consideration</p> <p>17   about. Unfortunately much less harvesting gives us, I</p> <p>18   think, a little more flexibility in how we apply the</p> <p>19   Conservation Strategy across the Forest.</p> <p>20           Also co-intent was one of the key</p> <p>21   pieces in all these three areas that you just mentioned</p> <p>22   and that was a key part of the TAC discussion is that</p> <p>23   we had achieved both objectives for the original intent</p> <p>24   of those areas. We weren't disregarding that they were</p> <p>25   established for some very specific reasons and it was</p>	<p style="text-align: right;">Page 576</p> <p>1   Agency then needed to go evaluate the science, listen</p> <p>2   to its experts, listen to outside experts and see what</p> <p>3   could be accomplished. That's the piece of the</p> <p>4   equation that you missed, so that's where I think we're</p> <p>5   finding ourselves struggling with this, is the lack of</p> <p>6   a scientific foundation for those management decisions.</p> <p>7   So I want to make sure that's clear.</p> <p>8           Let me touch just briefly on the</p> <p>9   comments that Chris made. If you're going to abandon</p> <p>10   the Conservation Strategy and if that, as Chris has</p> <p>11   suggested, you know, was sort of a relic of an earlier</p> <p>12   era, then you're in completely uncharted territory. We</p> <p>13   under you are continuing to maintain or purport to be</p> <p>14   maintaining your allegiance to that conservation</p> <p>15   strategy as a means of fulfilling your obligations</p> <p>16   under NFMA and the FEIS suggests you're continuing to</p> <p>17   do that. If the Agency's position is it's abandoning</p> <p>18   that structure, then we have a hole host of other</p> <p>19   problems.</p> <p>20           Then let me touch briefly on this idea</p> <p>21   of co-intent and one of the challenges of opening up</p> <p>22   commercial harvest. I talked earlier about the</p> <p>23   importance of these areas. It's not a numbers game.</p> <p>24   It's not because this is a small number of acres. It's</p> <p>25   because of the ecological importance of these areas.</p>
<p style="text-align: right;">Page 575</p> <p>1   out intent to accelerate via harvest the</p> <p>2   characteristics that those areas represented. So it</p> <p>3   would depend a lot on the prescription that was written</p> <p>4   for those areas.</p> <p>5           It's really not a lot of acreage as you</p> <p>6   pointed out, Beth, so it's not that big of an issue for</p> <p>7   us in terms of the acres affected, but nonetheless this</p> <p>8   is not an easy thing to do, this transition, so every</p> <p>9   piece of wood that can be brought under management is</p> <p>10   important. So I'll leave it at that. Thank you.</p> <p>11           MS. PENDLETON: Thank you, Chris. Any</p> <p>12   other perspectives. Holly.</p> <p>13           MS. HARRIS: Thank you very much.</p> <p>14   Beth, let me take these in order. In answer to your</p> <p>15   question, yes, we would be supportive of eliminating</p> <p>16   commercial logging in riparian management areas.</p> <p>17           I want to touch just briefly on three</p> <p>18   points. We talk about the TAC making recommendations.</p> <p>19   What we fail to see here is the TAC making</p> <p>20   recommendations and then the Agency engaging in a</p> <p>21   scientific analysis of whether we could have moved</p> <p>22   forward with those recommendations. We went straight</p> <p>23   to let's move ahead with the Plan. That's what's</p> <p>24   missing here.</p> <p>25           So the TAC made recommendations. The</p>	<p style="text-align: right;">Page 577</p> <p>1   The scientists knew from the beginning that we were</p> <p>2   talking about some small acreage here. We'll use</p> <p>3   Riparian Management Areas here as an example. They</p> <p>4   weren't focused on the number. They were focused on</p> <p>5   the ecological function that those areas provide.</p> <p>6   That's what the scientist wanted to see.</p> <p>7           So it isn't as simple as a numbers</p> <p>8   game. Ah, it's only 1,000 acres. That's not what your</p> <p>9   scientist said, that's not what your record says.</p> <p>10   These areas were important because of the ecological</p> <p>11   function they provide regardless of how many acres</p> <p>12   there are and your conservation strategy depended on</p> <p>13   those areas.</p> <p>14           I would just recommend -- again, I fall</p> <p>15   back on this explanation of the TAC made</p> <p>16   recommendations. Many of those we would be fully</p> <p>17   supportive of, others over the course of the last</p> <p>18   several days we've explained that we don't agree with.</p> <p>19           Let me point out on commercial harvest</p> <p>20   in riparian areas your record here, Sheila Jacobson, a</p> <p>21   Forest Service biologist, comments and I quote, I</p> <p>22   believe the TACs recommendations are somewhat</p> <p>23   contradictory where they state in their</p> <p>24   recommendations, and she's quoting, the TAC recommends</p>

<p style="text-align: right;">Page 578</p> <p>1 co-intent management activities that advance the stages 2 towards Tongass old growth conditions while creating 3 commercial timber byproducts, end quote. That's 4 exactly the problem we've got. 5 They came up with a recommendation, but 6 we needed the science to then say is this possible, can 7 we do this, and that's the piece of the equation that's 8 missing. As you have just jumped ahead over the 9 science to adopting your Plan, that's exactly the kind 10 of fallacy and thinking that is highlighted. 11 So, yes, not allowing commercial 12 logging in Riparian Management areas would be a 13 dramatic improvement and we would be supportive of that 14 decision. 15 MS. PENDLETON: Thanks, Holly. Any 16 other perspective. Susan. 17 MS. CULLINEY: Yes, I'll dovetail on 18 that to say that Audubon would be supportive of 19 eliminating commercial harvest in RMAs, but 20 conditionally, a little asterisk there, that these 21 areas work together with the beach and estuary fringe 22 and the old-growth reserves as complimentary areas to 23 create that strategy. So I'm trying to anticipate what 24 the next questions here are. If you're going down the 25 line and chopping up these areas, wouldn't make sense</p>	<p style="text-align: right;">Page 580</p> <p>1 MS. CAULFIELD: Thank you, Tony. 2 Anyone else? I see Holly's hand, so Holly. 3 MS. HARRIS: Just briefly. I want to 4 make sure I'm not misunderstanding your question, Beth. 5 When you say eliminating commercial harvest, not 6 allowing the logging, I'm assuming there you're also 7 including road building, so we would have no commercial 8 activity whatsoever, logging or road building, within 9 riparian areas or are you anticipating road building? 10 MS. PENDLETON: So it would be any 11 activity that's not suitable for timber production, so 12 the associated activities. 13 MS. HARRIS: Understood. Thank you, 14 Beth. And just to echo one comment. Obviously those 15 areas where you're aimed at something other than 16 commercial logging, I echo the comments from Audubon 17 and TU. 18 MS. PENDLETON: Thank you, Holly. 19 MR. EDWARDS: Yeah, Larry Edwards. 20 Like I say, I agree with my environmental colleagues 21 here. 22 MS. PENDLETON: Okay. I think we've 23 exhausted that one. So let me proceed to my second 24 question. I realize for some of you you've already 25 weighed in on this one, but could you support</p>
<p style="text-align: right;">Page 579</p> <p>1 to us from a habitat wildlife conservation standpoint. 2 MS. PENDLETON: Thank you, Susan. I 3 will be exploring some other areas as well, so 4 appreciate your remarks. Are there others who wish to 5 weigh in with a perspective. 6 MS. CAULFIELD: Beth, let me go ahead 7 and just check on the phone if there are objectors or 8 interested persons on the phone who would like to 9 respond to this question that Beth had asked regarding 10 whether you could support modifications to Alternative 11 5 that would eliminate commercial harvest in the 12 Riparian Management Areas. 13 MR. LAVIN: This is Pat. I guess in 14 the interest of time I won't repeat arguments that 15 others have already advanced and just say that, yes, 16 Defenders would support that. 17 MS. CAULFIELD: Thank you, Pat. Anyone 18 else on the phone. 19 MS. RUSHMORE: I'll add what Chris 20 Maisch had said is what Wrangell would support. 21 MS. CAULFIELD: Thank you, Carol. 22 Anybody else on the phone. 23 MR. GALLEGOS: This is Tony Gallegos 24 from Ketchikan Indian Community and they would also 25 support that as well.</p>	<p style="text-align: right;">Page 581</p> <p>1 modifications to the selected alternative that limited 2 young growth harvest in Riparian Management Areas to 3 commercial thinning. 4 MS. CAULFIELD: Holly. 5 MS. HARRIS: The answer there on behalf 6 of the Earthjustice objectors, et al, is no. The 7 Agency's record does not support that position. The 8 lack of scientific evidence upon which you would be 9 basing that management decision, the lack of scientific 10 evidence would render such a decision arbitrary. You 11 don't have the evidence before you to make that 12 decision. Given the lack of evidence we would not 13 support that decision. Again, retaining the integrity 14 of the Conservation Strategy would be our 15 recommendation. 16 Thank you. 17 MS. CAULFIELD: Thank you. 18 MR. EDWARDS: Larry Edwards. I agree 19 with what Holly said. 20 MR. MAISCH: Thank you. I just wanted 21 to once again stress the need to remain flexible in 22 your approach. This is new ground moving into the 23 young-growth management and you need to test how that 24 management is going to work and develop appropriate 25 prescriptions and strategies for managing various</p>



<p style="text-align: right;">Page 582</p> <p>1 types, as Ryan spoke to, research is a critical piece  2 of that and appropriate monitoring and we would  3 definitely support efforts to increase the amount of  4 research and monitoring that's occurring in the young  5 growth parts of the Forest.  6 I do want to remind folks that roughly  7 a half million acres have been cut on the Tongass that  8 would be considered young growth at this point. In the  9 development LUDs that we do have, we're down to around  10 270,000 acres. So you could argue essentially that  11 almost half of the young growth that has been cut have  12 been placed in off limit LUDs for one reason or  13 another.  14 We're really down to the last bit of  15 forest that we can manage intensively to try and have a  16 viable industry and this was obviously a compromise in  17 the TAC. To answer your question specifically,  18 thinning would be acceptable. I think there's probably  19 other types of prescriptions that could also be  20 acceptable.  21 Thank you.  22 MS. PENDLETON: Thanks, Chris. Any  23 other perspectives. Yes.  24 MS. CAULFIELD: Let's check with the  25 phone again.</p>	<p style="text-align: right;">Page 584</p> <p>1 areas work together as a conservation strategy.  2 MS. CAULFIELD: Austin.  3 MR. WILLIAMS: I think I'm going to  4 make a slightly different comment and maybe risk being  5 more broad than you asked, Beth. I think with regard  6 to the RMAs, fringe and OGRs I think these are hugely  7 important areas.  8 I didn't speak up regarding your  9 question about pre-commercial thinning because I think  10 Trout Unlimited is open to probably more management  11 activities than a number of the other commentators here,  12 but I think the devil is in the details and it comes  13 down to what those prescriptions look like.  14 I think opening them up, any of these  15 areas, to commercial thinning without any additional  16 discussion or standards and guides would be  17 problematic, but I could definitely see a scenario  18 where in each of these areas there could be projects  19 that are designed to meet a land management objective  20 that retained some of the flexibility that Chris Maisch  21 has spoken to that have some byproduct wood that is  22 beneficial for restoration activities, for our in-  23 stream work.  24 Sourcing wood is often a problem and I  25 think there would be value to using management</p>
<p style="text-align: right;">Page 583</p> <p>1 (No response)  2 MS. PENDLETON: Okay. Not hearing any,  3 I'm going to move us on to the next question. Could  4 you support modifications to the selected alternative  5 that eliminated young growth harvest in the old-growth  6 reserves? This is about 1,800 potential acres.  7 MR. WILLIAMS: I just had a quick  8 question. Beth mentioned 1,800 acres right now. I  9 wrote down 18,000 from your comments earlier.  10 MS. PENDLETON: It's 1,800.  11 MS. CAULFIELD: Thanks for the  12 clarification. Anyone who has a response to Beth's  13 question on this point. Holly.  14 MS. HARRIS: Yes, the Earthjustice, et  15 al, objectors would support eliminating commercial  16 harvest of second growth in the OGRs. Not only do we  17 support it, it's what your record suggests you have to  18 do.  19 MS. PENDLETON: Thanks, Holly.  20 MR. EDWARDS: GSACC, et al, objectors  21 would support that as well.  22 MS. PENDLETON: Thank you, Larry.  23 Susan.  24 MS. CULLINEY: Yeah, just reiterating  25 supportive especially in concert with how all these</p>	<p style="text-align: right;">Page 585</p> <p>1 activities in these areas to source wood for  2 restoration projects. I think there's a number of  3 other things that could go on in these areas as well  4 and I think it comes down to the specific prescriptions  5 and standards and guides that are allowed.  6 If we open these areas up to commercial  7 thinning, I would have concerns, but if there was some  8 additional language to specify what types of  9 activities, what types of goals could be implemented by  10 projected in these areas, I think -- I guess what I'm  11 saying in a roundabout way is the TU is open to  12 management activities in some of these areas that are  13 based on sound science that have legitimate wildlife  14 goals that might also produce some timber for various  15 limited uses. If the goal is to produce commercial  16 timber, end of sentence. We're going to have issues.  17 But we are open to a more broad array.  18 MS. PENDLETON: Thank you, Austin.  19 Chris.  20 MR. MAISCH: Thank you. I wanted to  21 follow up. That's that co-intent piece again is what  22 you were dancing around. That was the term at least we  23 used in the TAC, Austin. I think the other example you  24 might have and perhaps you might want to quote some of  25 the science that's been developed around the spotted</p>

<p style="text-align: right;">Page 586</p> <p>1 owl programs in Pacific Northwest where they did do 2 commercial thinning to restore old growth 3 characteristics, function and structure by using 4 thinning strategies to help return the old growth 5 characteristics faster to those stands than otherwise 6 would have occurred naturally, so much along the same 7 lines Austin is talking about.</p> <p>8 Also it can be a problem sourcing 9 larger wood for use in restoration projects. I think 10 again flexibility, flexibility, flexibility. Thank 11 you.</p> <p>12 MS. PENDLETON: Thank you, Chris. 13 MS. CAULFIELD: This is Jan. Let me 14 check on the phone if you're an objector or interested 15 person with a comment.</p> <p>16 MR. GALLEGOS: this is Tony Gallegos 17 with Ketchikan Indian Community and I tend to be in 18 alignment with Austin's comment. One of our big 19 concerns is just to protect cultural resources in areas 20 where we think there could potentially be impacted and 21 significant monitoring by Forest Service personnel to 22 prevent any damage while they're engaging in these 23 thinning activities is just crucial.</p> <p>24 MS. CAULFIELD: Thank you, Tony. 25 Others on the phone who have a response to this</p>	<p style="text-align: right;">Page 588</p> <p>1 Service, you have heard from some of the architects of 2 your Conservation Strategy and your wildlife viability 3 experts over the years. They have consistently 4 suggested that you should not be opening 10 acres. 5 That is not advancing wildlife habitat. That is 6 advancing a sole goal of commercial timber and we 7 should not be doing that in these ecologically 8 important areas.</p> <p>9 So not only should you not have 10 10 acres, you should be reducing that and not allowing 11 clearcut in these areas whatsoever.</p> <p>12 MS. PENDLETON: Thank you, Holly. 13 MS. CAULFIELD: Susan from Audubon 14 Alaska.</p> <p>15 MS. CULLINEY: Yes. I think reducing 16 that size of clearcut would be beneficial. The 17 question then remains what size is appropriate and 18 that's where we lack that scientific understanding. 19 From our perspective, the right solution here is to try 20 to mimic those natural phenomena and that would include 21 those selective cuts of one to three trees and again 22 looking into how does that cause a wildlife response. 23 Is there a positive response.</p> <p>24 And as Austin was talking about, using 25 some of these opportunities to look into -- yeah,</p>
<p style="text-align: right;">Page 587</p> <p>1 question for Beth.</p> <p>2 MR. LAVIN: Pat Lavin at Defenders and 3 the short answer is yes. I think Holly spoke to the 4 reasons for that. Not any disagreement with Austin's 5 position either. That sounds workable as well.</p> <p>6 MS. CAULFIELD: Thank you, Pat. 7 Others.</p> <p>8 (No response)</p> <p>9 MS. PENDLETON: Okay. The fourth part 10 to this question. Actually I've got a fifth part to 11 it. Could you support modifications to the selective 12 alternative that reduced the size of created openings. 13 Currently they're limited to 10 acres. I'll restate 14 that. It's up to 10 acres. Thank you, Earl.</p> <p>15 MS. CAULFIELD: Holly.</p> <p>16 MS. HARRIS: In response to the size of 17 the openings, not only should you reduce the 10 acre, 18 your record suggests you have to. Scientific 19 communities made it clear that you have no basis upon 20 which you have determined a 10-acre size is 21 appropriate. I can run through a litany of experts who 22 have opined on this and basically asked you time and 23 again what is the scientific basis for your 10-acre 24 clearcutting. The fact remains there is none.</p> <p>25 You have heard from Fish and Wildlife</p>	<p style="text-align: right;">Page 589</p> <p>1 controlled experiments to understand how wildlife is 2 responding to these various methods would be beneficial 3 and also help carry over towards future management of 4 these areas.</p> <p>5 MS. PENDLETON: Thank you, Susan. I 6 think, Ryan, you wanted to comment.</p> <p>7 MR. SCOTT: Thank you, Beth. Just real 8 briefly. Ten acres, eight acres, three acres, whatever 9 it might be, it's certainly not necessarily a numbers 10 game. It's about looking at where those openings will 11 be created. You truly have to get down to the details 12 and consider things like connectivity between various 13 parts of the landscape. So it's just adjusting the 14 size. I frankly don't have a comment on that. It's 15 more about watching where those openings will occur.</p> <p>16 MS. PENDLETON: Thanks, Ryan.</p> <p>17 MR. EDWARDS: Larry Edwards. I'd like 18 to echo what everybody said so far including Ryan. 19 It's not just a matter of reducing the size of 20 openings. It's a matter of the scale, what you're 21 trying to accomplish. If it's going to have a 22 substantial impact on the transition, I think even if 23 you're using the one-quarter to one-half acre openings, 24 which is just taking a few trees, that most of the 25 scientists have recommended, if you're doing that on a</p>

<p style="text-align: right;">Page 590</p> <p>1 scale that's going to matter, it's going to be a huge  2 impact. So I think we still have a problem and I think  3 our position is that basically you just need to stay  4 out of these Conservation Strategy areas entirely.  5 MS. PENDLETON: Thank you, Larry.  6 Chris, did you have a comment.  7 MR. MAISCH: Yeah, I was just going to  8 add to what Ryan had commented. Again, just to  9 reinforce some comments from last week about allowing  10 your professionals with their education and experience  11 to make the kind of decisions we're talking about here  12 in these areas.  13 Thank you.  14 MS. PENDLETON: Thank you, Chris.  15 Holly.  16 MS. HARRIS: I just wanted to echo  17 Ryan's comments. These areas were initially set aside  18 in large part because of connectivity. That was the  19 purpose we wanted them to serve. That's what your  20 experts wanted you to maintain. I echo Ryan's  21 concerns. We're arguing around the wrong question when  22 we're talking about the size of clearcuts.  23 Those efforts that are aimed at  24 improving habitat based on science, but these areas  25 were supposed to be maintained for connectivity and</p>	<p style="text-align: right;">Page 592</p> <p>1 yes.  2 MS. CAULFIELD: Anyone else on the  3 phone with a response for Beth on this specific  4 question?  5 (No response)  6 MS. PENDLETON: Thank you for your  7 input. A somewhat related question.....  8 MR. EDWARDS: Could I make one further  9 point?  10 MS. PENDLETON: Yes.  11 MR. EDWARDS: Larry Edwards again.  12 It's not just a matter of what you're taking, it's also  13 a matter of access. The smaller you make these  14 openings, the more they're going to be scattered around  15 and access becomes a huge part of the impacts.  16 MS. PENDLETON: Thank you, Larry. So  17 somewhat related, and Susan you touched on this in some  18 of your remarks. I want to focus on the connectivity  19 piece for a minute, which has been identified by  20 several objectors as being a very important issue. So  21 I want to dive a little deeper around the spacing and  22 size of openings. What level size and spacing of  23 natural and man-caused disturbance would objectors find  24 acceptable to maintain connectivity for species.  25 MR. EDWARDS: I've got a question,</p>
<p style="text-align: right;">Page 591</p> <p>1 opening that to an intent of commercial logging puts  2 those two quite frankly on a path of conflict. So I  3 would agree that maintaining connectivity as you have  4 over the course of the last several decades should  5 continue to be in the forefront.  6 MS. CAULFIELD: Thanks.  7 MR. EDWARDS: Larry Edwards again. I'd  8 just like to suggest that for purposes of  9 experimentation we don't necessarily have to be doing  10 that in these conservation areas. There's a lot of  11 other second growth around where we could be doing  12 that.  13 MS. PENDLETON: Thank you, Larry.  14 MS. CAULFIELD: This is Jan. Let me  15 check on the phone. Are there people on the phone who  16 are objectors or interested persons who would like to  17 response to this question and again it is could you  18 support modifications to the selected Alternative that  19 would reduce the size of created openings.  20 MR. GALLEGOS: This is Tony Gallegos  21 with KIC. Yes, a size reduction if appropriate  22 scientifically for wildlife habitat we would support.  23 MS. CAULFIELD: Thank you, Tony.  24 Others on the phone.  25 MR. LAVIN: Yes, Pat at Defenders, also</p>	<p style="text-align: right;">Page 593</p> <p>1 Beth. Are you speaking generally or particularly to  2 OGRs, RMAs and beach fringe?  3 MS. PENDLETON: I am speaking to the  4 components of the Conservation Strategy, so they would  5 include the RMAs, the beach fringe as well as the old-  6 growth reserves. So all three components.  7 MR. EDWARDS: So those specific  8 components and not the strategy generally.  9 MS. PENDLETON: Correct. Holly.  10 MS. HARRIS: Good morning. Holly again  11 with Earthjustice. Beth, I think -- I feel like I keep  12 saying the same thing and I apologize for being  13 repetitive. Your management decisions need to be based  14 on the best available science, so I don't think we can  15 lump all of those together. We have different  16 considerations for each of those areas.  17 As I've mentioned and others they work  18 in concert to advance the conservation goals of the  19 Tongass. So we can't lump those all in together and  20 suggest that we can treat them all the same. My  21 recommendation to you is to base your management  22 decisions on science and we haven't seen that from you  23 yet today.  24 I will remind you of concerns that  25 folks from Fish and Wildlife Service have said when</p>

<p style="text-align: right;">Page 594</p> <p>1 you're talking about managing in these areas. I quote,  2 we also recommend openings be limited to two acres or  3 less to maintain hunting habitat for goshawks and  4 provide thermal cover for deer.  5 We recommend that the selected  6 Alternative limit young growth treatments to actions  7 that maintain or improve wildlife habitat in beach and  8 estuary fringe forests. Again, we have different  9 considerations depending on which of those areas we're  10 talking about.  11 I highlight Fish and Wildlife Service  12 just as one example. I won't go through all of them.  13 But your record needs to support those management  14 decisions with regard to each of those areas and then  15 ultimately how they all work together to maintain the  16 viability of species across the Tongass and ensuring  17 that they remain well distributed in order to fulfill  18 your obligations under NFMA and obviously that analysis  19 then needs to be provided in an FEIS to maintain or to  20 fulfill the Agency's NEPA obligations.  21 MS. PENDLETON: Thank you, Holly.  22 Chris.  23 MR. MAISCH: Thanks. Chris again here.  24 In our discussions in the TAC this was something we  25 talked about a fair amount. Of course the primary</p>	<p style="text-align: right;">Page 596</p> <p>1 and second growth on the Tongass in such a way as to  2 ensure the continued viability of these species is your  3 substantive obligation.  4 MS. PENDLETON: Thank you, Holly. Any  5 other comments, perspectives. Susan.  6 MS. CULLINEY: As far as what it might  7 look like for the space and size of openings for  8 increasing wildlife characteristics, I would refer the  9 Agency to the May 12, 2015 letter from a scientist to  10 Jason Anderson. It goes into some of this discussion  11 that we're having and also identifies some very  12 knowledgeable people, scientists who would I think be  13 in the best position to provide this kind of  14 information. That is appended to our Audubon Alaska  15 comments on the DEIS, so it's available on the record.  16 Thank you.  17 MS. PENDLETON: Thank you, Susan.  18 Larry.  19 MR. EDWARDS: I'd like to echo what  20 Holly said. Regarding the question on spacing and  21 size, I just think we shouldn't be doing the stuff in  22 those components of the Conservation Strategy at all.  23 Thank you.  24 MS. PENDLETON: Thank you.  25 MS. CAULFIELD: Let me check with</p>
<p style="text-align: right;">Page 595</p> <p>1 interest here is whatever the restoration activity is  2 and the type of area that you're entering, but one of  3 the key things in size and spacing was also the  4 potential operability and economics of that from the  5 commercial piece.  6 One thing we talked about if you have  7 sited next to a unit like this, a larger regular  8 harvest unit, it can help carry the cost, but you  9 overall increase the volume that's derived from a  10 specific sale. Really in this transition it's about  11 volume and about maintaining enough volume to maintain  12 a viable industry.  13 Again, I'll spring back to the  14 flexibility piece. It's site specific like Ryan was  15 talking about where you put openings, how you design  16 the openings. You've got to keep economics in mind as  17 well as the restoration activity if you're going to do  18 that. I'll leave it at that.  19 Thanks.  20 MS. PENDLETON: Thank you, Chris.  21 Holly.  22 MS. HARRIS: Very briefly. I do want  23 to remind the Agency that separate and apart from  24 economic considerations the duties under NFMA, the  25 substantive obligations to manager habitat, old growth</p>	<p style="text-align: right;">Page 597</p> <p>1 people on the phone. Anyone on the phone with a  2 response to Beth.  3 MR. GALLEGOS: Tony Gallegos, Ketchikan  4 Indian Community. Just one that I haven't heard  5 mentioned that needs to be taken into account and is  6 very much a concern to the tribe is access to these  7 areas after the logging activity has occurred to  8 provide additional subsistence resources within the  9 Forest for hunting, gathering, trapping, traditional  10 tribal customary uses of the Forest.  11 MS. CAULFIELD: Thank you, Tony.  12 Anyone else on the phone who would like to speak.  13 (No response)  14 MS. PENDLETON: One more, Holly.  15 MS. HARRIS: I just want to make sure  16 I'm clear. When you were asking about this not to the  17 extent it's commercial logging, if that's the  18 motivation to get into these areas, I think I made that  19 clear earlier. I wanted to make sure there wasn't any  20 confusion there. I'm thinking in terms of openings for  21 things other than a commercial enterprise. So habitat  22 restoration, habitat improvement, what are the right  23 sizes, spacing, connectivity concerns. Again, I fall  24 back on let's go look at the scientists and have the  25 smart folks in the room give you the information you</p>

<p style="text-align: right;">Page 598</p> <p>1 need to make those management decisions.</p> <p>2 MS. PENDLETON: Thank you. Yes, Frank.</p> <p>3 MR. BERGSTROM: Frank Bergstrom, AMA.</p> <p>4 I just wanted to make sure you guys, and I know you do,</p> <p>5 think about the engineering. That's just one word that</p> <p>6 hasn't been used so far. There's economics, that's</p> <p>7 true, but engineering is applying science to solving</p> <p>8 problems, so you've got to consider what you can do and</p> <p>9 at what cost.</p> <p>10 MS. PENDLETON: Thank you, Frank. So</p> <p>11 I'm going to move us on in light of the discussion on</p> <p>12 those potential modifications to the four components</p> <p>13 that we discussed in the selected Alternative. Again,</p> <p>14 that would be eliminating commercial harvest in RMAs,</p> <p>15 limited young growth harvest and Riparian Management</p> <p>16 Areas to commercial thinning, eliminating young growth</p> <p>17 harvest in the old-growth reserves and reducing the</p> <p>18 size of created openings.</p> <p>19 So keeping those in mind in your</p> <p>20 responses to those questions, could you support the</p> <p>21 delay in transition that may occur as a result of</p> <p>22 making one or all of these modifications? Owen.</p> <p>23 MR. GRAHAM: Yes, I support delay in</p> <p>24 transition.</p> <p>25 MS. PENDLETON: Others who wish to</p>	<p style="text-align: right;">Page 600</p> <p>1 not support continuing the destruction of Southeast</p> <p>2 Alaska's forests.</p> <p>3 I've said this before. We've moved on</p> <p>4 and the region now depends on industries that depend on</p> <p>5 maintaining that old growth; tourism, fisheries,</p> <p>6 recreation, et cetera. So, no, we would not support</p> <p>7 delaying the transition. It needs to happen faster and</p> <p>8 the Agency needs to have looked at what that would look</p> <p>9 like.</p> <p>10 MS. CAULFIELD: I see Larry and then</p> <p>11 Jim.</p> <p>12 MR. EDWARDS: Larry Edwards. Yeah, I</p> <p>13 think Holly is absolutely correct and I think this goes</p> <p>14 back to the announcement that was made at the May 2010</p> <p>15 Tongass Futures Roundtable Meeting in Kake where the</p> <p>16 Agency announced that it needed to make a rapid</p> <p>17 transition out of old-growth logging.</p> <p>18 As it's played out through the work</p> <p>19 that the TAC did, the numbers and the timing just don't</p> <p>20 add up, so that kind of transition doesn't work, so we</p> <p>21 need a different transition and it needs to be pretty</p> <p>22 much immediate at this point because we're well beyond</p> <p>23 rapid already. We're six years beyond that</p> <p>24 announcement and we can't delay any further.</p> <p>25 MS. PENDLETON: Thank you, Larry. Jim.</p>
<p style="text-align: right;">Page 599</p> <p>1 comment. Holly.</p> <p>2 MS. HARRIS: Again, Holly Harris with</p> <p>3 Earthjustice. No, we would not support that. The</p> <p>4 Agency needs to transition out of industrial scale old-</p> <p>5 growth logging for a whole host of reasons that are</p> <p>6 separate and apart from whether second-growth logging</p> <p>7 ever comes online. We urged the Agency continuously</p> <p>8 over the last several years to look at what that might</p> <p>9 mean. Look at a different timber industry. Look at</p> <p>10 one that is not export-driven, that doesn't have us</p> <p>11 clearcutting thousands of acres and shipping it out of</p> <p>12 Alaska.</p> <p>13 The Agency didn't listen to us and</p> <p>14 didn't conduct that analysis and we wish you had</p> <p>15 because maintaining a viable industry could have looked</p> <p>16 a whole lot of different ways and your EIS should have</p> <p>17 looked at that and looked at the ecological</p> <p>18 consequences and the tradeoffs and explain those to the</p> <p>19 public.</p> <p>20 The lack of analysis here leaves</p> <p>21 everyone without the necessary information. So, to be</p> <p>22 clear, the Agency needs to end old-growth logging</p> <p>23 because there is an ecological imperative to do so</p> <p>24 because the social license upon which you have been</p> <p>25 clearcutting the Tongass has ended and the public does</p>	<p style="text-align: right;">Page 601</p> <p>1 MR. CLARK: Holly has made the case</p> <p>2 this morning from an opposite point of view that we've</p> <p>3 been making. That is that the FeIS and the Draft ROD</p> <p>4 are insufficient and they need to be redone, so</p> <p>5 therefore we do support a delay in the transition.</p> <p>6 Let me go through why. If you're going</p> <p>7 to transition to young growth, you've got to transition</p> <p>8 to where the young growth is. The oldest of the young</p> <p>9 growth is in the riparian and in the beach fringe areas</p> <p>10 because the folks that logged first came in with the A-</p> <p>11 frames and logged from the beach and that's where the</p> <p>12 oldest of the young growth happens to be.</p> <p>13 I think Holly has made it clear that if</p> <p>14 you proceed with the program you've outlined that</p> <p>15 Earthjustice will bring an action and the environmental</p> <p>16 community here will bring an action because the science</p> <p>17 is insufficient. Again, I think over the last couple</p> <p>18 of days folks that are interested in development of the</p> <p>19 Tongass have shown that there are numerous gaps in the</p> <p>20 record. So we need an SEIS.</p> <p>21 Let me just point to how this has been</p> <p>22 done before. In 1979 the Tongass Plan was the very</p> <p>23 first Plan developed under the National Forest</p> <p>24 Management Act. It was adopted pretty much whole cloth</p> <p>25 in ANILCA in 1980. At that time the allowable sale</p>

<p style="text-align: right;">Page 602</p> <p>1 quantity was 450 million board feet.</p> <p>2 In 1989, the Forest Service was going</p> <p>3 to update the Forest Plan. It was the 10-year period.</p> <p>4 There had been a five-year review in 1985 and in 1989</p> <p>5 there was the intent to press forward with the update</p> <p>6 of the Plan.</p> <p>7 It was delayed because of the Tongass</p> <p>8 Timber Reform Act in 1990 and the changes were made by</p> <p>9 Congress that reduced the allowable sale quantity and</p> <p>10 the Forest Service came up with a Draft Record of</p> <p>11 Decision in 1992, but there were the wildlife concerns</p> <p>12 that we hear over and over again no matter how much of</p> <p>13 the forest is left.</p> <p>14 As a consequence, a new Regional</p> <p>15 Forester named Phil Janick came here who had been the</p> <p>16 wildlife biologist for Region 10 before being named</p> <p>17 Regional Forester. From 1992 to 1997 Plan there was a</p> <p>18 Federal Advisory Committee that was put together on</p> <p>19 wildlife that made recommendations that informed the</p> <p>20 1997 Plan.</p> <p>21 The 1997 Plan was overturned in the</p> <p>22 NRDC case in 2005 for things having nothing to do with</p> <p>23 the Plan other than that the Forest Service had failed</p> <p>24 to describe the amount of timber that it was going to</p> <p>25 harvest and it was the Brooks report that created some</p>	<p style="text-align: right;">Page 604</p> <p>1 is to step back, do the work necessary to show where</p> <p>2 you're going to get the young growth, show how much</p> <p>3 it's going to cost, show where the investment is going</p> <p>4 to come from.</p> <p>5 Rather than go through years of</p> <p>6 litigation about this it would be better to step back</p> <p>7 and do the work to provide the science that's needed to</p> <p>8 support moving to young growth. This process has</p> <p>9 essentially moved too fast as illustrated by the fact</p> <p>10 that in 1989 we delayed it essentially from 1989 to</p> <p>11 1997, various reasons for it, but putting in the</p> <p>12 science to support the wildlife impact was a five-year</p> <p>13 proposition from 1992 to 1997.</p> <p>14 So for those reasons we support</p> <p>15 delaying the transition and moving to an SEIS that</p> <p>16 would build on what you've done so far and fill in the</p> <p>17 gaps.</p> <p>18 Thank you.</p> <p>19 MS. PENDLETON: Thanks, Jim. Larry.</p> <p>20 MR. EDWARDS: Larry Edwards. The</p> <p>21 problem with the direction that Jim is suggesting</p> <p>22 though is that you don't have the science to support</p> <p>23 the program that you're pursuing right now regarding</p> <p>24 old growth, so the whole thing collapses.</p> <p>25 MS. PENDLETON: Thank, Larry.</p>
<p style="text-align: right;">Page 603</p> <p>1 confusion and it was put back and the 2008 Plan merged,</p> <p>2 which called for adaptive management.</p> <p>3 Holly has mentioned that the 1997 Plan</p> <p>4 and the 2008 Plan were based on science and she has</p> <p>5 pointed out this morning why the proposed plan to</p> <p>6 young-growth management is not based on science.</p> <p>7 In 2010, when the Forest Service was</p> <p>8 told by the Secretary of Agriculture to proceed</p> <p>9 immediately to move to young growth, the Forest Service</p> <p>10 here I think very courageously, and I've seen the</p> <p>11 emails. We've gotten them under a Freedom of</p> <p>12 Information Act request. Very courageously pushed back</p> <p>13 and said that won't work and pointed out a number of</p> <p>14 reasons why, including the 2010 Economic Study that was</p> <p>15 made public and that study showed that without a</p> <p>16 substantial investment in pre-commercial thinning you</p> <p>17 couldn't move forward with any industry or a sufficient</p> <p>18 volume to support an industry.</p> <p>19 The existing ROD repeats that the</p> <p>20 timber right now is not economic or marketable. Page</p> <p>21 10 of your ROD. So from either side, if you're going</p> <p>22 to transition to young growth, there has to be the idea</p> <p>23 of going where the young growth is. If there's not the</p> <p>24 science to support where the young growth is then you</p> <p>25 need to do what the Forest Service did in 1992 and that</p>	<p style="text-align: right;">Page 605</p> <p>1 MR. CLARK: But Holly just said that</p> <p>2 the 2008 Plan was based on science, so I'm confused.</p> <p>3 MR. EDWARDS: I don't wholly agree with</p> <p>4 that. I mean they did some science, but it's got a lot</p> <p>5 of problems with its science underpinnings.</p> <p>6 MS. PENDLETON: Go ahead, Holly.</p> <p>7 MS. HARRIS: Just very briefly. Jim</p> <p>8 made some assertions regarding Earthjustice and why</p> <p>9 we're here today. Let me be very, very clear. We're</p> <p>10 here to engage the Agency. We are here in the hopes</p> <p>11 that we can convince you to adopt a Forest Plan that</p> <p>12 brings a more rapid end to industrial scale old-growth</p> <p>13 logging. And we're here to make sure that we've done</p> <p>14 everything we can to engage the Agency to share our</p> <p>15 concerns, to share the concerns of our partners and we</p> <p>16 urge you to listen to us and to hear those concerns and</p> <p>17 we appreciate the opportunity that you've provided for</p> <p>18 us today.</p> <p>19 Thank you very much.</p> <p>20 MS. PENDLETON: Thank you, Holly. Any</p> <p>21 other comments or perspectives relative to this</p> <p>22 question? If not, I do want to move on.</p> <p>23 MS. CAULFIELD: Let me check with folks</p> <p>24 on the phone and see if there's anything additional.</p> <p>25 Again, the question is with consideration to some of</p>

<p style="text-align: right;">Page 606</p> <p>1 the earlier questions that Beth asked earlier, keeping  2 those in mind, could you support the delay in  3 transition that may occur as a result of making one or  4 all of those types of modifications within the selected  5 Alternative.  6 MS. RUSHMORE: Hi, this is Carol  7 Rushmore. We would absolutely support the delay.  8 There is a lot of public support in this region to  9 continue harvesting of old growth as well as in the  10 long-term transition to young growth. We have moved on  11 to a different type of industry. We have been forced  12 to move on to a different type of industry.  13 What is so important is that the  14 communities have diverse economic opportunities in  15 order to thrive. Folks in this region do not have the  16 national, financial and economic engine behind them to  17 don this process and to participate. As much as we've  18 had to follow it here locally as a government agency.  19 If you're only going to focus on the  20 young growth, then show me the timber. If you can't do  21 that, then the Forest Service should still be providing  22 old growth to businesses until that time happens.  23 Thank you.  24 MS. CAULFIELD: Thank you, Carol. Is  25 there anyone else on the phone with a response to that</p>	<p style="text-align: right;">Page 608</p> <p>1 timber supply for these dependent communities and for  2 the industry.  3 I guess that's enough. Thanks.  4 MS. CAULFIELD: Thank you, Owen.  5 MS. PENDLETON: Thank you for sharing  6 your perspectives with regard to modifications on the  7 selected Alternative. So in light of the perspectives  8 that you have shared with regard to eliminating  9 commercial harvest and RMAs, limiting young growth  10 harvest and RMAs to commercial thinning, eliminating  11 young growth harvest in the old-growth reserves, and  12 reducing the size of created openings, how would you  13 offset the loss of young growth volume if one or all of  14 these modifications to the selected alternative  15 occurred? So I'm looking for some of your creative  16 ideas.  17 Frank.  18 MR. BERGSTROM: Cut more first cut. Old  19 growth you call it.  20 MR. CLARK: Let me just ask a question.  21 Do you assume that the young growth timber is economic  22 or can we, for purposes of answering your question,  23 assume that it's economic or not?  24 MS. PENDLETON: So it would be helpful  25 to me if you would qualify your response, Jim, with</p>
<p style="text-align: right;">Page 607</p> <p>1 question about delaying the transition.  2 MR. GALLEGOS: Tony Gallegos, Ketchikan  3 Indian Community. It's been argued that it should be  4 shortened, should be extended. I don't see at this  5 point what has been recommended is sufficient. I'm  6 going to say more than sufficient for the transition.  7 So trying to actually extend it I don't think is  8 warranted at this point.  9 MS. CAULFIELD: Thank you, Tony.  10 Anyone else. I see Owen here in the room.  11 MR. GRAHAM: I keep hearing a lot of  12 different people talk about science and the scientists  13 should make all the decisions, but this whole  14 transition thing is not science, it's a political  15 decision by a political appointee to abort the  16 tradition of the Forest Service of growing these trees  17 to maturity, which is 30 or 40 years away from now.  18 It's not a science-based decision that the Secretary is  19 pushing.  20 We need to be talking about more than  21 just what's the absolute best thing for wildlife and  22 fish in the eyes of some biologist. We need to be  23 thinking about a multiple use forest and the Forest  24 Service keeping management flexibility so that they can  25 manage to support a lot of different uses, including a</p>	<p style="text-align: right;">Page 609</p> <p>1 regard to whether or not it's economic or not, so that  2 would be helpful. Thank you.  3 MR. CLARK: Well, if the timber is not  4 economic, then it's not going to be harvested. There  5 were four requirements that conditionally approved the  6 2008 Plan which are not discussed in the FEIS or the  7 ROD and there are two things that are important. One  8 is that the timber be economic and, secondly, that  9 there be sufficient timber for an integrated industry,  10 which means dealing with the pulp logs and utility logs  11 as well as the saw logs.  12 One of the reasons we need an SEIS is  13 because the transition plan as written doesn't deal  14 with those factors. You can change the policy, but you  15 need to identify the policy being changed and explain  16 the reasons for doing it. If you're going to provide  17 transition timber that's not economic, you need to  18 explain why that's an acceptable idea and give the  19 public a chance to comment on it.  20 If you're going to produce timber  21 that's economic, then you need to address the issue  22 that you raised in the 2010 economic report, namely to  23 make it economic you're going to need substantial  24 investment in pre-commercial and commercial thinning.  25 So those are all issues that would need</p>

<p style="text-align: right;">Page 610</p> <p>1 to be addressed before one could sensibly answer your 2 question.</p> <p>3 MS. PENDLETON: Thank you, Jim. Chris.</p> <p>4 MR. MAISCH: Yeah, it's not an easy 5 question. I'm assuming it's just specific to young 6 growth. It gets back to the one-for-one that Eric 7 talked about, but if you really restrict it just to 8 young growth, you'd have to really consider some 9 different options. I mean one thing you might think 10 about, we couldn't talk about this in the TAC, but 11 would be a young growth management overlay that would 12 potentially have a different set of standards and 13 guidelines. It would be more specific to timber 14 development since this is the last piece that we're 15 going to be able to manage.</p> <p>16 So you might look at opportunities to 17 really aggressively manage this 270,000 acres of young 18 growth to make the transition be successful. So that's 19 in the context if it's a young-growth-only question 20 you're going to have to do something different with the 21 young growth that's available.</p> <p>22 MS. PENDLETON: The focus of my 23 question is really specific to young growth.</p> <p>24 MR. MAISCH: That's what I thought. 25 Thank you.</p>	<p style="text-align: right;">Page 612</p> <p>1 offsets. Thank you.</p> <p>2 MS. PENDLETON: Thanks, Larry.</p> <p>3 MS. CAULFIELD: Let me just check with 4 people on the phone. Again the specific question that 5 Beth has asked is how would you offset the loss of 6 young growth volume if one or all of the types of 7 modifications to the components of the Wildlife 8 Conservation Strategy Beth had addressed earlier if 9 those modifications to the selected alternative 10 occurred. So how would you offset the loss of young 11 growth volume if any of those modifications to the 12 selective alternative occurred.</p> <p>13 Anyone on the phone with a response to 14 that for Beth.</p> <p>15 (No response)</p> <p>16 MS. CAULFIELD: Okay. So Austin 17 Williams with Trout Unlimited.</p> <p>18 MR. WILLIAMS: I've been trying to bite 19 my tongue, but maybe I can't. I'll just comment on 20 both this question and the prior question. It's fairly 21 difficult from my point of view to address both of 22 those because if you look at -- and I'll use the RMA as 23 an example. You have 1,000 acres that are spread 24 throughout the forest, often in very remote locations. 25 You're talking about what the proposed Plan would</p>
<p style="text-align: right;">Page 611</p> <p>1 MR. EDWARDS: In terms of how to offset 2 those things in your question, Beth, I think it comes 3 back to some discussions that we had last week and a 4 little bit this week too, which comes down to a 5 question of how much of the industry can you transition 6 and what a viable industry is, which, as I explained 7 last week, is something that is not discussed at all in 8 the FEIS or the ROD. It also comes down to what other 9 kinds of transitions can you do that don't emphasize 10 timber so much.</p> <p>11 These are points that we've been 12 raising going back to 2009 at a meeting with the Chief 13 of the Forest Service, which we proposed a whole 14 different kind of transition alternative that should be 15 pursued and we raised that point repeatedly every 16 opportunity and scoping and DEIS comments and 17 everything else every time that we could, including at 18 TAC meetings.</p> <p>19 We've asked both the Agency and the TAC 20 to write to the Secretary and advise the Secretary that 21 the kind of transition that he was apparently 22 indicating in his memo just isn't workable and more 23 flexibility is needed for different ways to approach 24 the problem that we have.</p> <p>25 So that's my answer concerning the</p>	<p style="text-align: right;">Page 613</p> <p>1 provide. Up to 10 acre patch cut.</p> <p>2 I think in the desire to maintain 3 flexibility also means that it's not entirely clear how 4 much young growth volume we're actually talking about. 5 So there are questions about the economic operability 6 in these areas. If you're looking at changing the 7 prescriptions for these areas and what you might have 8 to do as perceived compensation either in a prolonged 9 transition or in making other young growth available, 10 it's just not clear to me how much young growth is 11 actually available in these areas to begin with. I 12 think that's one of the big challenges that I'm having 13 in trying to respond to your questions.</p> <p>14 MS. PENDLETON: Thank you, Austin.</p> <p>15 MR. CLARK: This is Jim Clark. That's 16 gets to a point we've made and on which Senator 17 Murkowski has introduced legislation and that is that 18 there needs to be an adequate inventory of young growth 19 before we proceed on this, yet another reason for an 20 SEIS.</p> <p>21 MR. WILLIAMS: I just want to make sure 22 my comments were not being misconstrued. I'm not 23 suggesting that we need to delay the Plan Amendment or 24 that there needs to be any change to the inventory. 25 My comments were specific to the 1,000</p>



<p style="text-align: right;">Page 614</p> <p>1 acres and these RMAs. I strongly believe that the</p> <p>2 ongoing cost share agreement between the Forest Service</p> <p>3 and the State of Alaska is doing an adequate inventory,</p> <p>4 that there is information for the Forest Service to</p> <p>5 base its decision to make a transition off of at large</p> <p>6 and that the demands of Southeast Alaska are such that</p> <p>7 we absolutely need to be making a transition as quickly</p> <p>8 and as thoroughly as we can as my comments throughout</p> <p>9 the other days of this proceeding have alluded to.</p> <p>10 MS. PENDLETON: Thank you, Austin.</p> <p>11 MS. CAULFIELD: Any other comments</p> <p>12 either here in the room or on the phone in response to</p> <p>13 Beth's question about offsetting the loss of young-</p> <p>14 growth volume.</p> <p>15 (No response)</p> <p>16 MS. CAULFIELD: Next question.</p> <p>17 MS. PENDLETON: So I have one final</p> <p>18 question that I would like to ask with regard to our</p> <p>19 topic today, which is timber harvest in the Wildlife</p> <p>20 Conservation Strategy components and other areas.</p> <p>21 The final question is could you support</p> <p>22 allowing for more intensive young growth harvest on</p> <p>23 moderate vulnerability karst to offset the reductions</p> <p>24 in young growth volume.</p> <p>25 MS. CAULFIELD: Owen Graham with Alaska</p>	<p style="text-align: right;">Page 616</p> <p>1 go back to flexibility, so maintain that and that would</p> <p>2 seem to me to be a reasonable trade-off if you made</p> <p>3 some of the changes that you were discussing to try and</p> <p>4 maintain young growth volume.</p> <p>5 MS. CAULFIELD: Holly from</p> <p>6 Earthjustice.</p> <p>7 MS. HARRIS: I just want to echo the</p> <p>8 comments that if it's scientifically based and you've</p> <p>9 done your analysis and your record supports you, you</p> <p>10 can make those decisions. It's difficult sitting here</p> <p>11 today from my perspective how we're making these</p> <p>12 decisions at the 11th hour without any scientific</p> <p>13 support or evidentiary support in the record.</p> <p>14 MS. PENDLETON: Thanks, Holly. Any</p> <p>15 other perspectives.</p> <p>16 (No response)</p> <p>17 MS. PENDLETON: So what I'd like to do</p> <p>18 is take a short break. I have a few folks behind me</p> <p>19 that I want to visit with and make sure that we've</p> <p>20 exhausted our exploration around this topic and we'll</p> <p>21 just take a few minutes.</p> <p>22 (Off record)</p> <p>23 (On record)</p> <p>24 MS. CAULFIELD: We are going to</p> <p>25 reconvene here and I think Beth has one more question</p>
<p style="text-align: right;">Page 615</p> <p>1 Forest Association.</p> <p>2 MR. GRAHAM: Yeah, I don't think</p> <p>3 harvesting young growth in karst areas are going to</p> <p>4 harm the karst, but I would note that karst areas tend</p> <p>5 to be the highest growing sites, so you're going to</p> <p>6 sacrifice a lot of potential growth if you don't let</p> <p>7 the trees in those areas grow. So kind of a trade-off.</p> <p>8 You can get more volume by going in the karst areas</p> <p>9 without doing any resource damage, but you're going to</p> <p>10 sacrifice enormous growth potential in those areas.</p> <p>11 MS. PENDLETON: Thanks, Owen. Any</p> <p>12 other perspectives.</p> <p>13 MS. CAULFIELD: so checking on the</p> <p>14 phone and again the question from Beth is could you</p> <p>15 support allowing for more intensive young growth</p> <p>16 harvest on moderate vulnerability karst to offset the</p> <p>17 reductions in young growth volume. So anyone with a</p> <p>18 response from the phone to that question.</p> <p>19 (No response)</p> <p>20 MS. CAULFIELD: Or any responses here</p> <p>21 in the room.</p> <p>22 MR. EDWARDS: Larry Edwards. We</p> <p>23 wouldn't support that.</p> <p>24 MS. PENDLETON: Chris.</p> <p>25 MR. MAISCH: Again, I'm just going to</p>	<p style="text-align: right;">Page 617</p> <p>1 for you all related to the topic of the Wildlife</p> <p>2 Conservation Strategy and harvesting components of</p> <p>3 strategy and other areas. So I'll turn it back to Beth</p> <p>4 for that question. I appreciate you all continuing on</p> <p>5 with us this morning. Beth.</p> <p>6 MS. PENDLETON: Thanks, Jan. So I</p> <p>7 certainly realize that there are very different</p> <p>8 perspectives around harvest and components of the</p> <p>9 Wildlife Conservation Strategy and other areas. I</p> <p>10 appreciate those perspectives.</p> <p>11 My final question is if you see some</p> <p>12 common ground that could be considered around this</p> <p>13 topic of harvest and components of the Wildlife</p> <p>14 Conservation Strategy and other areas do you see room</p> <p>15 for some common ground given the diversity of</p> <p>16 perspectives that have been shared this morning.</p> <p>17 Holly.</p> <p>18 MS. HARRIS: Holly Harris,</p> <p>19 Earthjustice. I don't know if it's unanimous, but I</p> <p>20 think there's an overwhelming majority that is</p> <p>21 encouraging the Agency to base its management decisions</p> <p>22 on sound science. You have a regulatory obligation to</p> <p>23 do so. You have a legal obligation under NFMA and NEPA</p> <p>24 to do so. Instead of jumping ahead to management</p> <p>25 decisions lets make sure we're doing it with the best</p>

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1 available information with the smartest minds at the  
2 table and from there you're then offered a suite of  
3 management choices. So I would encourage finding  
4 common ground on basing these choices on sound science.

5 MS. PENDLETON: Thank you, Holly.

6 MR. CLARK: Jim Clark. I think there is  
7 common ground and that is that an SEIS is needed. If  
8 we were to follow the prescriptions that we've heard  
9 today, there's no place to go get the young growth. If  
10 we look at the ROD, even if we were to go to all the  
11 places in Alternative 5, it's not economic or  
12 marketable. Then Holly has gone through a long  
13 description of the science that Earthjustice believes  
14 is missing here.

15 Again, you've faced pretty much the  
16 same situation in 1992. You stepped back for five  
17 years and really completed the process. The Washington  
18 Office and the Secretary's Office has put incredible  
19 pressure on you to come up with a Plan in a very short  
20 period of time to really act as Owen mentioned contrary  
21 to the National Forest Management Act, which calls for  
22 timber to reach its culmination of mean annual  
23 increment before you harvest it.

24 So you're trying to take on a very hard  
25 issue in a very short period of time and I think for

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1 existence doesn't change the fact that Congress wanted  
2 the industry sustained and Congress has funded the  
3 timber sale program every year.

4 So I think it's pretty good consensus  
5 from Congress that they want the timber industry  
6 similar to what we had in 1990 sustained. So as far as  
7 consensus you've got that. The timber industry of  
8 course agrees with that also.

9 Thanks.

10 MS. PENDLETON: Thanks, Owen.

11 MS. CAULFIELD: You've got Austin.

12 MR. WILLIAMS: Austin Williams with  
13 Trout Unlimited. I'm motivated to speak up because we  
14 certainty disagree with the need to do a SEIS. I think  
15 the nature of this process and the fact that this is an  
16 objection hearing means that you have people in this  
17 room that have objected to the Plan on various grounds,  
18 so you have the people in the room right now that have  
19 issue with the Plan.

20 I think if you look at the comments  
21 that were received from the public throughout the  
22 process the overwhelming majority of people in  
23 Southeast Alaska want to see the Forest Service manage  
24 its land on the Tongass in a way that supports the  
25 diversity of interests in Southeast Alaska and I think

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1 the reasons that have been mentioned here by us and by  
2 Holly you really need to step back and do a  
3 Supplemental Environmental Impact Statement, build on  
4 what you've put together so far, but while there's  
5 varying points of view, some people don't want any  
6 development, some people do, I think we're all agreed  
7 that you're going to need to do more work to get there.  
8 The work we're talking about has to be in the form of a  
9 Supplemental Environmental Impact Statement.

10 So I would encourage you -- and, Beth,  
11 you did the same thing on the Big Thorne sale. You  
12 stepped back when there was a question about wildlife  
13 impacts, impacts on the wolf, and put a panel together  
14 to look at that very thing. This is the same kind of  
15 thing that needs to be done here. I think that even  
16 though there's a great diversity opinion, we all come  
17 to the conclusion that an SEIS is needed.

18 MS. PENDLETON: Thank you, Jim. Owen.

19 MR. GRAHAM: I think there's a  
20 consensus from Congress for maintaining the timber sale  
21 program. I keep hearing this argument about social  
22 license. I think that's just rhetoric. But Congress  
23 made it pretty clear in TTRA that it was their intent  
24 that the Forest Service sustain the industry. The fact  
25 that the industry has been mostly starved into non-

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1 going back to the timber industry of the '90s is not a  
2 viable or feasible result. I think to a large degree  
3 Southeast Alaska is now dominated by fishing, tourism.  
4 You go down the economic ladder and there is a host of  
5 activity in the region that is not timber-based.

6 I think what we have is a recognition  
7 that the status quo isn't working and that we need to  
8 transition. There are lots of changes. We are not  
9 still in the '90s and this Amendment is about catching  
10 up management of the Tongass to what has already taken  
11 place in many of the communities.

12 While there might be room for common  
13 ground on specific issues, a delay or a SEIS is not  
14 something that Trout Unlimited would agree with. I  
15 think it's far past time for a transition and an  
16 amendment. We certainly have issues with some of the  
17 details with the proposed Plan Amendment, but by and  
18 large view it as a positive step.

19 So to the extent that we're thinking  
20 about common ground here, postponing implementation of  
21 the Plan Amendment and preparing a SEIS is not  
22 something that there is shared common ground with in  
23 this room.

24 MS. PENDLETON: Thank you, Austin. It  
25 would be helpful to focus remarks around common ground.

26 (Pages 618 to 621)

<p style="text-align: right;">Page 622</p> <p>1 We've been talking about components of the Wildlife 2 Conservation Strategy and other areas and where are we 3 going to find some common ground around harvest of 4 young growth timber on the Tongass. 5 MS. CAULFIELD: I see Ryan. 6 MR. SCOTT: Thank you. This is Ryan 7 Scott with the Alaska Department of Fish and Game, 8 Division of Wildlife Conservation. I think you have 9 heard a plethora of common ground. The mechanism for 10 how you get there, that's the rub, that's the 11 challenge. Specifically for wildlife interest, I 12 believe that several of us have spoken to the ability 13 to actually enter even some of the more contentious 14 areas. The RMAs, patch size, things like that, if it's 15 done critically. There's no recipe necessarily at this 16 point or a magic bullet to tell us what that is, but it 17 also doesn't take those areas off the table. 18 Again, I think that's been a somewhat 19 common theme, not everybody, but I do appreciate 20 everybody's comments and I do think that the 21 opportunity is there and specific to wildlife interest. 22 I think a lot of the intent of the Amendment process 23 can be accomplished with some additional critical 24 thinking about when, where and how. 25 Thank you.</p>	<p style="text-align: right;">Page 624</p> <p>1 MS. PENDLETON: Thank you, Frank. Just 2 check on the phone and see if there's any final 3 comments on the question. 4 (No response) 5 MS. PENDLETON: We've got one more hand 6 in the room. Chris. 7 MR. MAISCH: Thanks. This is Chris 8 Maisch with the State of Alaska. I want to build a 9 little bit on what Ryan said because I really agree 10 with his points. I think as you know you had a large 11 diversity of perspectives on the Tongass Advisory 12 Committee and you did see a very large middle ground 13 develop about the Tongass and how it could be managed. 14 So I think you've gone a long way down the right road. 15 Obviously, sitting in this room, we 16 still have differences and I think we need to try and 17 work with the groups here to close those differences as 18 best we can. That won't be an easy task, but I think 19 it's worth undertaking. Better information, be it 20 science or economic data or the inventory data I think 21 would be useful from I think just about everyone's 22 perspective here. I think again the adaptability and 23 flexibility. 24 I know this is in context of the 25 Conservation Strategy here, but I'm talking a little</p>
<p style="text-align: right;">Page 623</p> <p>1 MS. PENDLETON: Thank you. 2 MS. CAULFIELD: Let me go ahead and 3 check with the folks on the phone. Can you help 4 identify any common ground and again this is focused on 5 regarding harvest of young growth and vis-a-vis the 6 components of the Wildlife Conservation Strategy. 7 (No response) 8 MS. CAULFIELD: I'm not hearing anyone, 9 so go ahead, Frank Bergstrom representing Alaska Miners 10 Association and First things First Alaska Foundation. 11 MR. BERGSTROM: Jan, I'll just use your 12 word right back to you there. Diversity. I think 13 that's a critical thing to the economy. 14 Diversification of our economy is critical. Southeast 15 has had not too many legs under its economic stool. To 16 lose one major industry is extremely difficult and it's 17 resulted in a significant loss of population. 18 We're all for the people of Southeast 19 Alaska and a broad-based economy based on natural 20 resource extraction is fundamental to the economy of 21 Southeast. That could include logging, forest products 22 production, mining, fishing, tourism. It's got to be 23 everything or it puts a severe limit on the human 24 environment. 25 Thank you.</p>	<p style="text-align: right;">Page 625</p> <p>1 bit broader because it's so hard to keep all this 2 compartmentalized because it all overlaps with each 3 other. Anything that I just mentioned is worth doing 4 and I'll let you choose how you do that with your 5 processes and what that means to you as an Agency, but 6 we stand ready to support that effort and do the best 7 we can as a full partner with you in this effort. 8 So thank you. 9 MS. PENDLETON: Thank you, Chris. 10 Larry. 11 MR. EDWARDS: Larry Edwards just 12 responding to one point that Chris made. I think that 13 one problem we've had in the process here is there was 14 not enough diversity on the TAC. If there had been, I 15 think that instead of having a recommendation to the 16 Forest Service from the Committee that there might have 17 been a report that would have suggested the need for a 18 broader range of alternatives, which has come out in 19 many of the objections, as well as the need to go back 20 and incorporate a lot more science and particularly to 21 address the Conservation Strategy, which the Agency is 22 step by step along the whole process refused to do. I 23 think that that would have saved a whole lot of delay 24 and the need for an SEIS for example. 25 MS. PENDLETON: Thank you, Larry. I</p>

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1 think we've exhausted this one. Maybe we've exhausted  
2 the topic all together. So I just want to thank each  
3 of you for your perspectives on the questions, the  
4 dialogue that we've had here today.

5 Jan, I think we can probably break for  
6 the day. I know we've got a full suite of topics for  
7 tomorrow starting, I believe, at 10:00. Hearing from  
8 Alaska Miners Association on a couple of different  
9 minerals-related issues, transition.

10 And then in the afternoon a topic that  
11 came forward from a number of objectors that we take up  
12 the demand analysis and have more opportunity for  
13 sharing perspectives and dialogue around that. So a  
14 couple big topics for tomorrow.

15 But as far as what I needed to hear and  
16 the conversation around the harvest and components of  
17 the Wildlife Conservation Strategy and other areas I  
18 think we've exhausted that. I've heard what I needed  
19 to and I really do appreciate the perspective and line  
20 of thought from each of you here in the room as well as  
21 on the phone today.

22 Jan, I'll turn it over to you.

23 MS. CAULFIELD: Thanks very much. Just  
24 looking at the agenda for tomorrow a reminder that  
25 we're starting at 10:00 tomorrow morning. A 1:30 start

1 CERTIFICATE  
2 UNITED STATES OF AMERICA )

3 )ss.  
4 STATE OF ALASKA )

5 I, Salena A. Hile, Notary Public in and  
6 for the state of Alaska and reporter for Computer  
7 Matrix Court Reporters, LLC, do hereby certify:

8 THAT the foregoing pages numbered 521  
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10 of the TONGASS NATIONAL FOREST PLAN AMENDMENT  
11 OBJECTION RESOLUTION MEETING, VOLUME V, taken  
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13 Alaska;

14 THAT the transcript is a true and  
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1 for the issue of market demand and I know Owen will be  
2 participating by phone. Unless there's any questions  
3 about the agenda for tomorrow I think we're ready to go  
4 and we'll be back here at 10:00 in the morning.

5 Thank you so much everyone and thanks  
6 for the folks on the phone. Appreciate you hanging in  
7 there with us. We'll talk tomorrow.

8 (Off record)

9 (PROCEEDINGS TO BE CONTINUED)